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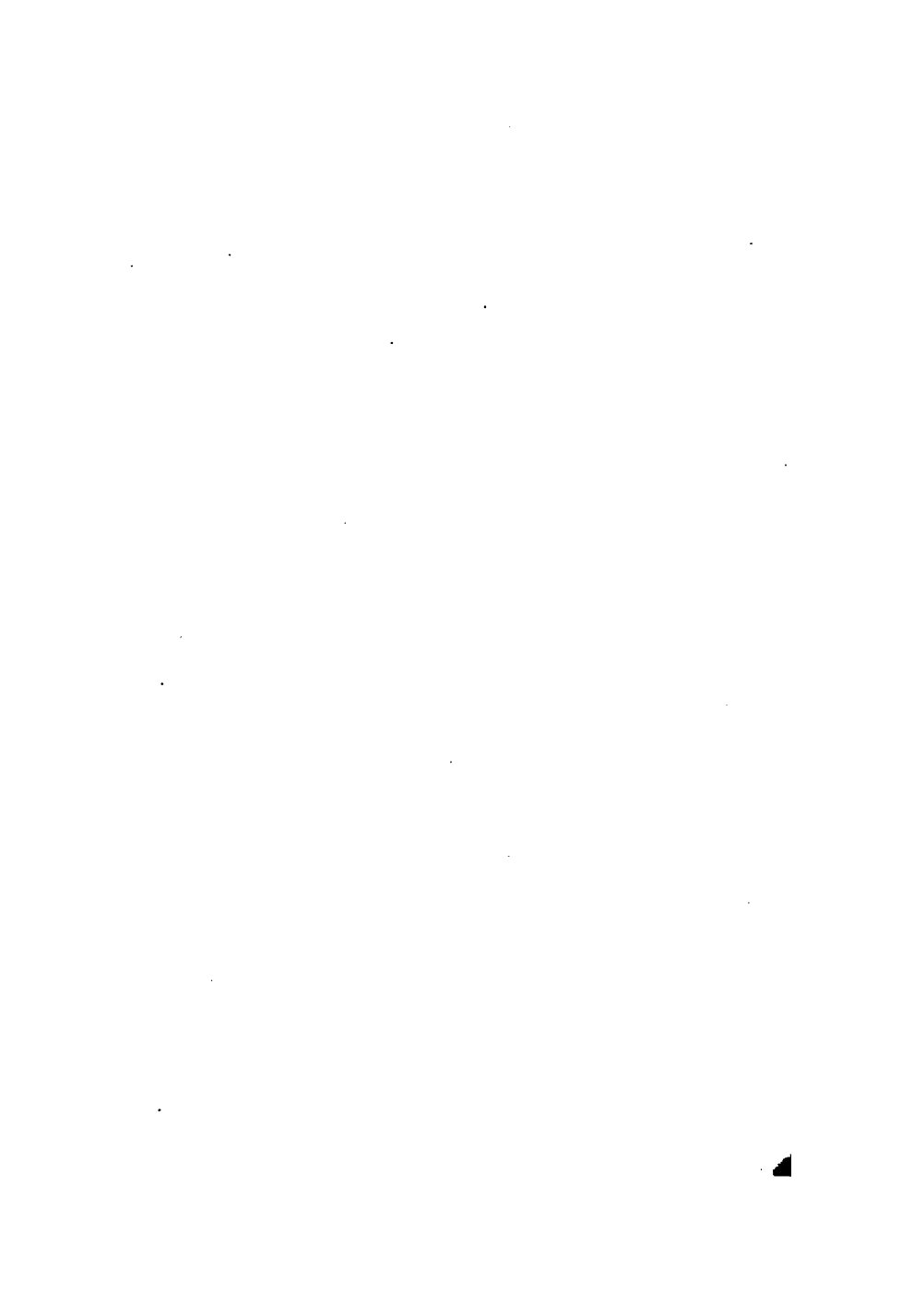
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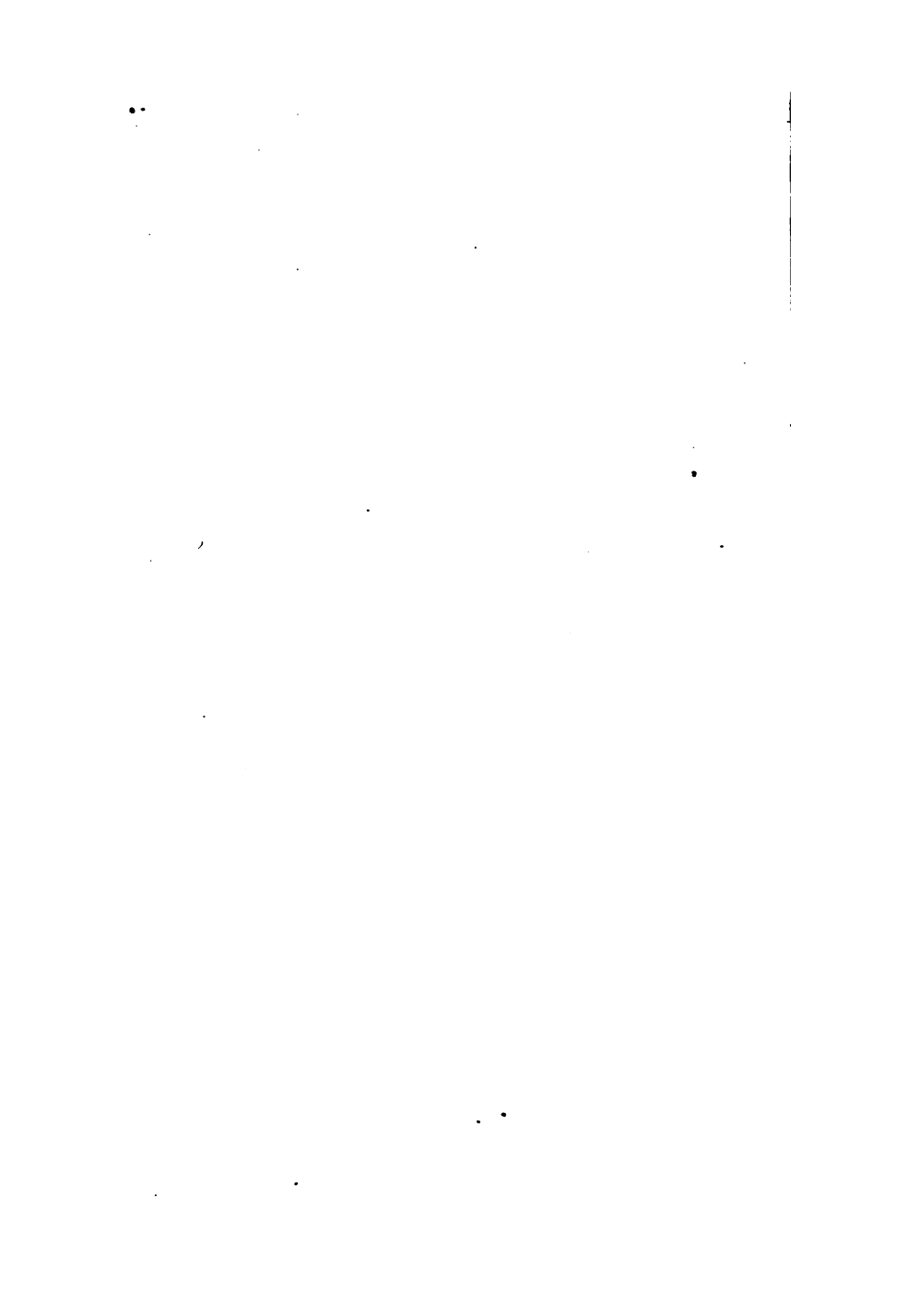














SELECT  
PRIVATE ORATIONS

OF

DEMOSTHENES,

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AFTER THE TEXT OF DINDORF; WITH THE VARIOUS  
READINGS OF REISKE AND BEKKER.

WITH

ENGLISH NOTES,  
FOR THE USE OF SCHOOLS.

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BY

THE REV. CHARLES T. PENROSE,  
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## P R E F A C E.

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It is scarcely necessary to give any explanation of the Plan of the present Edition, which it is hoped may be found to make more available for the use of the higher classes of schools, some of the private orations of Demosthenes. This portion of classical literature has been considered by the best judges to be singularly well adapted for the purposes of education, from the insight which it affords into almost all matters of private life at Athens, conveyed in the words of the most perfect master of the noblest of all languages.

The Notes will be found to contain short abstracts of every paragraph, and explanations of all passages which may fairly be considered to contain difficulties not readily to be overcome by younger students, together with such historical and chronological matter as seemed to be required. The attention is also called to many of the more remarkable idioms, and to the uses of the prepositions.

My obligations will be found constantly acknowledged to *Boeckh's Economy of Athens*, *Kennedy's Demosthenes*, *Wordsworth's Athens*, *Clinton's Fasti Hellenici*, *The Dictionary of Greek and Roman Antiquities*, and other books. The quotations might have been greatly extended, but that I was anxious not to swell the notes to a greater length; and I hope that the student may be induced to refer to the books themselves, which he will find extremely profitable, and at the same time interesting.

The marginal pages, to which also the Notes are adapted, are the pages of Reiske's First Edition, by which Demosthenes is referred to in all Lexicons and books of reference wherever he is quoted.

C. T. P.

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## ΚΑΤΑ ΑΦΟΒΟΥ ΕΠΙΤΡΟΠΗΣ.

### ΥΠΟΘΕΣΙΣ.

ΔΗΜΟΣΘΕΝΗΣ ὁ Παιανιεύς, Δημοσθένους τοῦ ῥή-  
τορος πατήρ, τελευτῶν ἐπὶ δύο παισὶ, τῷ τε Δη-  
μοσθένει καὶ θυγατρὶ, ἐπιτρόπους καθίστησι καὶ  
τῶν παίδων καὶ τῶν χρημάτων τρεῖς, δύο μὲν συγ-  
5 γενεῖς, Ἀφοβόν τε καὶ Δημοφῶντα, ἓνα δὲ φίλον  
ἐκ παίδων, Θηριππίδην. καὶ Θηριππίδῃ μὲν δίδωσιν  
ἐβδομήκοντα καρποῦσθαι μνᾶς, ἄχρῃς ἂν Δημοσθέ-  
νης εἰς ἄνδρας ἐγγραφῇ· Δημοφῶντι δὲ ἐγγυᾶ τὴν  
θυγατέρα, προστάξας αὐτὸν προῖκα δύο τάλαντα 812  
10 λαβεῖν· Ἀφόβῳ δὲ τὴν ἑαυτοῦ μὲν γυναῖκα, τῶν  
δὲ παίδων μητέρα, Κλεοβούλῃν<sup>1</sup> τὴν Γύλωνος, ἀξιοῖ  
γῆμασθαι μνᾶς ἐπιδούς ὀγδοήκοντα, καὶ<sup>2</sup> χρῆσθαι  
κελεύει τῇ τε οἰκίᾳ καὶ τοῖς ἐν αὐτῇ σκεύεσι μέχρι  
τῆς Δημοσθένους εἰς ἄνδρας ἐγγραφῆς. οὗτοι τὰ  
15 μὲν δοθέντα χρήματα αὐτοῖς<sup>3</sup> εὐθὺς λαμβάνουσι,  
γαμῇ δὲ οὔτε Ἀφοβος τὴν γυναῖκα τοῦ τελευτή-  
σαντος οὔτε Δημοφῶν τὴν θυγατέρα. διαχειρίσαντες  
δὲ τὴν οὐσίαν τεττάρων καὶ δέκα τάλαντων, ὡς ὁ  
ῥήτωρ ἐπιδείκνυσιν, ὀφείλοντες τριάκοντα τάλαντα  
20 ἐκτίσαι ἐπικαρπίας καὶ ἀποδοῦναι, μικρὰ παντελῶς  
παρέδωκαν εἰς ἄνδρας ἐγγραφέντι τῷ Δημοσθένει.  
διὸ πρὸς τὸν Ἀφοβον εἰσελήλυθεν<sup>4</sup> ἐπιτροπῆς, δέκα  
τάλαντων τὴν<sup>5</sup> δίκην λαχὼν, ἐπειδὴ τρίτος<sup>6</sup> ὢν ἐπι-  
τροπος τὸ τρίτον ὀφείλει τῶν χρημάτων· ἃ καὶ  
25 συντίθησιν ὁ ῥήτωρ ἐκ τε τῶν ἀρχαίων καὶ τῆς  
ἐπικαρπίας. κατὰ<sup>7</sup> Ἀφόβου, πρὸς τινας ἀντιρρήσεις

<sup>1</sup> κεκρῆσθαι δὲ κελεύει, Reiske.

<sup>2</sup> αὐτοῖς, Relake, Bekker.

ἀγομένας ὑπὸ τοῦ Ἀφόβου οὗτος ὁ λόγος ἐπηγώ-  
ρισται, ἔχει δὲ καὶ τῶν προειρημένων ἐπανάμνησιν.

Εἰ<sup>1</sup> μὲν ἡβούλετο<sup>2</sup> Ἀφοβος, ὃ ἄνδρες δικασταί, 812  
τὰ δίκαια ποιεῖν ἢ περὶ ὧν διαφερόμεθα τοῖς οἰκείοις  
5 ἐπιτρέπειν, οὐδὲν ἂν ἔδει δικῶν οὐδὲ πραγμάτων.  
ἀπέχρη γὰρ ἂν τοῖς ὑπ' ἐκείνων γνωσθεῖσιν ἐμμέ-  
νειν, ὥστε μηδεμίαν ἡμῖν εἶναι πρὸς τοῦτον<sup>3</sup> δια-  
φοράν. ἐπειδὴ δ' οὗτος τοὺς μὲν σαφῶς εἰδότες τὰ  
ἡμέτερα ἔφυγε μηδὲν διαγνῶναι περὶ αὐτῶν, εἰς δ'  
10 ὑμᾶς τοὺς οὐδὲν τῶν ἡμετέρων ἀκριβῶς ἐπισταμένους  
ἐλήλυθεν, ἀνάγκη ἐστὶν ἐν ὑμῖν παρ' αὐτοῦ πει-  
ρᾶσθαι τῶν δικαίων τυγχάνειν. οἶδα μὲν οὖν, ὃ  
ἄνδρες δικασταί, ὅτι πρὸς ἄνδρας καὶ λέγειν ἱκανοὺς  
καὶ παρασκευάσασθαι<sup>2</sup> δυναμένους χαλεπὸν ἐστὶν  
15 εἰς ἀγῶνα καθίστασθαι περὶ τῶν ὄντων ἀπάντων<sup>4</sup>,  
ἄπειρον ὄντα παντάπασι πραγμάτων διὰ τὴν ἡλι-  
κίαν· ὅμως δέ, καίπερ πολὺ τούτων καταδεέστερος  
ὢν, πολλὰς ἐλπίδας ἔχω καὶ<sup>3</sup> παρ' ὑμῖν τεύξεσθαι  
τῶν δικαίων καὶ μέχρι γε τοῦ τὰ γεγεννημένα διεξ-  
20 ελθεῖν καὶ αὐτὸς ἀρκούντως ἐρεῖν, ὥσθ' ὑμᾶς μὴτ'  
ἀπολειφθῆναι<sup>4</sup> τῶν πραγμάτων μηδὲ καθ' ἐν μὴτ'  
ἀγνοῆσαι περὶ ὧν δεήσει τὴν ψῆφον ἐνεγκεῖν<sup>5</sup>. δέομαι 814  
δ' ὑμῶν, ὃ ἄνδρες δικασταί, μετ' εὐνοίας τ' ἐμοῦ  
ἀκοῦσαι καὶ ἡδικῆσθαι δοκῶ βοηθῆσαι μοι τὰ δίκαια.  
25 ποιήσομαι δ' ὡς<sup>1</sup> ἂν δύνωμι διὰ βραχυτάτων τοὺς  
λόγους. ὅθεν δ' οὖν ῥᾶστα μαθήσεσθε περὶ αὐτῶν,  
ἐντεῦθεν<sup>2</sup> ὑμᾶς καὶ ἐγὼ πρῶτον πειράσομαι διδάσ-  
κειν.

Δημοσθένης<sup>3</sup> γὰρ οὐμὸς πατήρ, ὃ ἄνδρες δικασ-  
30 ται, κατέλειπεν<sup>5</sup> οὐσίαν μὲν σχεδὸν τεττάρων καὶ

<sup>1</sup> εἰβούλετο, Reiske, Bekker.

<sup>4</sup> τουτονι, Reiske,

<sup>2</sup> Reiske puts the comma before this word, and not after.

<sup>3</sup> διενεγκεῖν, Reiske.

<sup>5</sup> κατέλειπεν, Reiske.

- δέκα ταλάντων, ἐμέ δ' ἔπτ' ἐτῶν ὄντα καὶ τὴν ἀδελφὴν πέντε, ἔτι δὲ τὴν ἡμετέραν μητέρα πεντήκοντα μῶας εἰς τὸν οἶκον εἰσηνεγμένην.<sup>4</sup> βουλευσάμενος δὲ περὶ ἡμῶν, ὅτ' ἤμελλε τελευτᾶν,
- 5 ἅπαντα ταῦτα ἐνεχείρισεν Ἀφόβῳ τε τούτῳ καὶ Δημοφῶντι τῷ Δήμωνος νιεῖ, τούτοις μὲν ἀδελφίδοις ὄντοις, τῷ μὲν ἐξ ἀδελφοῦ, τῷ δ' ἐξ ἀδελφῆς γεγονότοις, ἔτι δὲ Θηριππίδῃ τῷ Παιανιεῖ, γένει μὲν οὐδὲν προσήκοντι, φίλῳ δ' ἐκ παιδὸς ὑπάρχοντι.
- 10 κακείνῳ μὲν ἔδωκεν ἐκ τῶν ἐμῶν ἐβδομήκοντα μνᾶς καρπώσασθαι τοσούτον χρόνον, ἕως ἐγὼ ἀνὴρ εἶναι δοκιμασθεῖν<sup>5</sup>, ὅπως μὴ δι' ἐπιθυμίαν χρημάτων χειρόν τι τῶν ἐμῶν διοικήσειεν· Δημοφῶντι δὲ τὴν ἐμὴν ἀδελφὴν καὶ δύο τάλαντα εὐθύς ἔδωκεν ἔχειν, αὐτῷ
- 15 δὲ τούτῳ τὴν μητέρα τὴν ἡμετέραν καὶ προικὰ τ'<sup>h</sup> ὀγδοήκοντα μνᾶς, καὶ τῇ οἰκίᾳ καὶ σκεύεσι χρῆσθαι τοῖς ἐμοῖς, ἡγούμενος, καὶ<sup>i</sup> τούτους ἔτι οἰκειότερους<sup>6</sup> εἴ μοι ποιήσειεν, οὐκ ἂν χειρόν με ἐπιτροπευθῆναι ταύτης τῆς οἰκειότητος προσγενομένης· λαβόντες δ'
- 20 οὗτοι ταῦτα πρῶτον σφίσιν αὐτοῖς ἐκ τῆν χρημάτων, καὶ τὴν ἄλλην οὐσίαν ἅπασαν διαχειρίσαντες, 8 καὶ δέκα ἔτη ἡμᾶς ἐπιτροπεύσαντες, τὰ μὲν ἄλλα πάντα ἀπεστερήκασιν, τὴν οἰκίαν δὲ καὶ ἀνδράποδα τετταρακαίδεκα καὶ ἀργυρίου μνᾶς τριάκοντα, μα-
- 25 λιστα σύμπαντα<sup>1</sup> ταῦτα εἰς ἐβδομήκοντα μνᾶς παραδεδώκασιν. καὶ τὸ μὲν κεφάλαιον τῶν ἀδικημάτων, ὡς ἂν συντομώτατ' εἴποι τις, τοῦτ' ἔστιν, ὧ ἄνδρες δικασταί. τὸ δὲ πλῆθος τῆς οὐσίας ὅτι τοῦτ' ἦν τὸ καταλειφθὲν, μέγιστοι μὲν αὐτοὶ μάρ-
- 30 τυρές μοι γεγονάσιν· εἰς<sup>2</sup> γάρ τὴν συμμορίαν ὑπὲρ ἐμοῦ συνετάξαντο κατὰ τὰς πέντε καὶ εἴκοσι μνᾶς πεντακοσίας δραχμὰς εἰσφέρειν, ὅσον περ Τιμόθεος

<sup>4</sup> Reiske omits τ'.<sup>5</sup> εἰ καὶ τούτους ἔτι οἰκειότερους ἐμοὶ ποιήσειεν, Reiske.

ὁ Κόνωνος καὶ οἱ τὰ μέγιστα κεκτημένοι τιμήματα  
 εἰσέφερον· δεῖ δὲ καὶ καθ' ἕκαστον ὑμᾶς ἀκούσαι  
 τὰ τ' ἐνεργὰ αὐτῶν καὶ ὅσα ἦν ἀργὰ καὶ ὅσον ἦν  
 ἄξια ἕκαστα· ταῦτα γὰρ μαθόντες ἀκριβῶς εἴσεσθε  
 5 ὅτι τῶν πώποτ' ἐπιτροπευσάντων οὐδένας ἀναιδέσ-  
 τερον οὐδὲ περιφανέστερον ἢ οὗτοι τὰ ἡμέτερα  
 διηρπάκασιν. πρῶτον μὲν οὖν ὥς συνετιμήσαντο ὑπὲρ  
 ἐμοῦ ταύτην τὴν εἰσφορὰν εἰς τὴν συμμορίαν, παρ-  
 ἔξομαι τούτων μάρτυρας, ἔπειθ' ὅτι οὐ πένητα  
 10 κατέλιπέ με ὁ πατὴρ οὐδ' ἐβδομήκοντα μνῶν οὐσίαν  
 κεκτημένον, ἀλλὰ τοσαύτην ὅσην οὐδ' αὐτοὶ οὗτοι  
 ἀποκρύνψασθαι διὰ τὸ μέγεθος πρὸς<sup>3</sup> τὴν πόλιν  
 ἡδυνήθησαν. καὶ μοι ἀναγίγνωσκε<sup>4</sup> λαβὼν ταύτην<sup>κ</sup>  
 τὴν μαρτυρίαν.

5

## MARTYRIA.

Δῆλον<sup>δ</sup> μὲν τοίνυν καὶ ἐκ τούτων ἐστὶ τὸ  
 πλήθος τῆς οὐσίας. πεντεκαίδεκα γὰρ<sup>1</sup> ταλάντων  
 τρία τάλαντα τίμημα· ταύτην<sup>1m</sup> ἥξιον εἰσφέρειν 816  
 τὴν εἰσφορὰν. ἔτι δ' ἀκριβέστερον εἴσεσθε τὴν  
 10 οὐσίαν αὐτὴν ἀκούσαντες. ὁ γὰρ πατὴρ, ὃ ἄν-  
 δρες δικασταί, κατέλιπε δύο ἐργαστήρια, τέχνης  
 οὐ μικρᾶς ἑκάτερον, μαχαιοποιούς μὲν τριάκοντα  
 καὶ δύο ἢ τρεῖς, ἀνὰ<sup>ν</sup> πέντε μνᾶς καὶ ἕξ, τοὺς δ'  
 οὐκ ἐλάττωους ἢ τριῶν μνῶν ἄξιους, ἀφ' ὧν τριά-  
 15 κοντα μνᾶς ἀτελεῖς ἐλάμβανε τοῦ ἐνιαυτοῦ τὴν  
 πρόσσodon, κλινοποιούς δ' εἴκοσι τὸν ἀριθμὸν, τεττα-  
 ράκοντα μνῶν ὑποκειμένους<sup>2</sup>, οἱ δώδεκα μνᾶς ἀτελεῖς  
 αὐτῷ προσέφερον, ἀργυρίου δ' εἰς τάλαντον ἐπὶ<sup>3</sup>  
 δραχμῇ δεδανεισμένου<sup>ο</sup>, οὗ τόκος ἐγίγνετο τοῦ

<sup>κ</sup> ταυτηνι, Reiske.<sup>m</sup> ταύτην δ', Reiske.<sup>ο</sup> δεδανεισμένου, Reiske.<sup>1</sup> ταλάντων γὰρ, Reiske.<sup>ν</sup> τοὺς μὲν ἀνὰ πέντε μνᾶς ἢ καὶ ἕξ,  
Reiske.

ἐνιαυτου ἐκάστου πλείον ἢ ἑπτὰ μναῖ. καὶ ταῦτα  
 μὲν ἐνεργὰ κατέλιπεν, ὡς καὶ αὐτοὶ οὗτοι ὁμολο-  
 γήσουσιν· ὧν γίγνεται τοῦ μὲν ἀρχαίου κεφάλαιον  
 τέτταρα<sup>4</sup> τάλαντα καὶ πεντακισχίλιαι, τὸ δ' ἔργον  
 5 αὐτῶν πεντήκοντα μναῖ τοῦ ἐνιαυτοῦ ἐκάστου. χωρὶς  
 δὲ τούτων ἐλέφαντα μὲν καὶ σίδηρον, ὃν κατειργά-  
 ζοντο, καὶ ξύλα<sup>5</sup> κλίνεια εἰς ὀγδοήκοντα μνῶν ἄξια<sup>p</sup>,  
 κηκίδα<sup>6</sup> δὲ καὶ χαλκὸν ἐβδομήκοντα μνῶν ἐωνημένα,  
 ἔτι δ' οἰκίαν τρισχιλίων<sup>7</sup>, ἐπιπλα δὲ καὶ ἐκπώματα  
 10 καὶ χρυσία<sup>8</sup> καὶ ἱμάτια καὶ κόσμον τῆς μητρὸς ἄξια  
 σύμπαντα ταῦτα εἰς μυρίας δραχμάς, ἀργυρίου δ'  
 ἔνδον ὀγδοήκοντα μναῖς. καὶ ταῦτα μὲν οἶκοι κατέ-  
 λιπε πάντα, ναυτικά<sup>9</sup> δ' ἐβδομήκοντα μναῖς, ἔκδοσιν<sup>10</sup>  
 παρὰ Ξούθῳ, τετρακοσίας δὲ καὶ δισχιλίας ἐπὶ τῇ  
 15 τραπέζῃ<sup>11</sup> τῇ Πασίωνος, ἑξακοσίας δ' ἐπὶ τῇ Πυλά-  
 δου, παρὰ Δημομέλει δὲ τῷ Δήμωνος νιεῖ χιλίας  
 καὶ ἑξακοσίας, κατὰ<sup>1</sup> διακοσίας δὲ καὶ τριακοσίας 81  
 ὁμοῦ τι τάλαντον διακεχρημένον. καὶ τούτων αὐτῶν  
 χρημάτων τὸ κεφάλαιον πλεον ἢ ὀκτὼ τάλαντα καὶ  
 20 τριάκοντα μναῖ γίγνονται<sup>a</sup>. συμπάντων δ' εἰς τετ-  
 ταρακαίδεκα τάλαντα εὐρήσετε σκοποῦντες.

Καὶ<sup>2</sup> τὸ μὲν πλῆθος τῆς οὐσίας τούτ' ἦν τὸ  
 καταλειφθὲν, ὃ ἄνδρες δικασταί, ὅσα δ' αὐτῆς δια-  
 κέκλεπται καὶ ὅσα ἰδίᾳ ἕκαστος εἴληφε καὶ ὅποσα  
 25 κοινῇ πάντες ἀποστεροῦσιν, οὐκ ἐνδέχεται πρὸς<sup>3</sup> τὸ  
 αὐτὸ ὕδωρ εἰπεῖν, ἀλλ' ἀνάγκη χωρὶς ἕκαστον διελεῖν  
 εἶστί. ἃ μὲν οὖν Δημοφῶν ἡ<sup>7</sup> Θηριππίδης ἔχουσι  
 τῶν ἐμῶν, τότε ἐξαρκέσει περὶ αὐτῶν εἰπεῖν, ὅταν  
 κατ' αὐτῶν τὰς γραφὰς ἀπενέγκωμεν· ἃ δὲ τούτου  
 30 ἔχοντα ἐξελέγχουσιν<sup>a</sup> ἐκεῖνοι καὶ ἐγὼ οἶδα αὐτὸν  
 εἰληφότα, περὶ τούτων ἤδη ποιήσομαι τοὺς λόγους  
 πρὸς ὑμᾶς. πρῶτον μὲν οὖν ὡς ἔχει τὴν προῖκα, τὰς

<sup>p</sup> αἰλίαν, Reiske.<sup>r</sup> καί, Reiske.<sup>a</sup> γίγνεται, Reiske.<sup>a</sup> ἐλέγχουσιν, Reiske.

ὀγδοήκοντα μνᾶς, τοῦθ' ὑμῖν ἐπιδείξω, μετὰ δὲ ταῦτα  
καὶ περὶ τῶν ἄλλων, ὡς ἂν ἐγὼ<sup>†</sup> δύνωμαι διὰ βραχυ-  
τάτων.

Οὗτος<sup>4</sup> γὰρ εὐθύς μετὰ τὸν τοῦ πατρὸς θάνατον  
5 ἔκει τὴν οἰκίαν εἰσελθὼν κατὰ τὴν ἐκείνου διαθήκην,  
καὶ λαμβάνει τὰ τε χρυσία τῆς μητρὸς καὶ τὰ ἐκ-  
πώματα τὰ καταλειφθέντα. καὶ ταῦτα μὲν ὡς εἰς  
πεντήκοντα μνᾶς εἶχεν, ἔτι δὲ τῶν ἀνδραπόδων τῶν  
πιπρασκομένων παρὰ τε Θηριππίδου καὶ Δημοφῶν-  
10 τος τὰς τιμὰς ἐλάμβανεν, ἕως ἀνεπληρώσατο τὴν  
προῖκα, τὰς ὀγδοήκοντα μνᾶς. καὶ ἐπειδὴ εἶχεν, ἐκ-  
πλεῖν<sup>5</sup> μέλλων εἰς Κόρκυραν<sup>u</sup> τριήραρχος ἀπέ-  
γραψε<sup>6</sup> ταῦτα πρὸς Θηριππίδην ἔχοντα ἑαυτὸν  
καὶ ὠμολόγει κεκομισθαι τὴν προῖκα, καὶ πρῶτον<sup>x</sup> 818  
15 μὲν τούτων Δημοφῶν καὶ Θηριππίδης, οἱ τούτου  
συνεπίτροποι, μάρτυρές εἰσιν· ἔτι δὲ καὶ ὡς αὐτὸς  
ὠμολόγει ταῦτ' ἔχειν, Δημοχάρης τε ὁ Λευκοκοεὺς,  
ὁ τὴν τηθίδα τὴν ἐμὴν ἔχων, καὶ ἄλλοι πολλοὶ μάρ-  
τυρες γεγόνασιν. οὐ γὰρ διδόντος τούτου σίτον τῇ  
20 μητρὶ, τὴν δὲ προῖκα ἔχοντος, οὐδὲ τὸν οἶκον μισ-  
θοῦν<sup>1</sup> ἐθέλοντος, ἀλλὰ μετὰ τῶν ἄλλων ἐπιτρόπων  
διαχειρίζειν ἀξιῶντος, ἐποιήσατο λόγους περὶ τού-  
των ὁ Δημοχάρης. οὗτος δ' ἀκούσας οὐτ' ἠμφεσβή-  
τησε<sup>7</sup> μὴ ἔχειν οὔτε χαλεπῶς ἤνεγκεν ὡς οὐκ εἰλη-  
25 φῶς, ἀλλ' ὠμολόγει καὶ τι<sup>z</sup> μικρὸν ἔφη πρὸς τὴν  
ἐμὴν μητ'ρα περὶ χρυσιδίων ἀντιλέγεσθαι· τοῦτ'  
οὖν διευκρινησάμενος καὶ περὶ τῆς τροφῆς καὶ περὶ  
τῶν ἄλλων ποιήσκειν οὕτως ὥστ' ἔχειν μοι πάντα  
καλῶς. καίτοι εἰ φανήσεται πρὸς τε τὸν Δημοχάρην  
30 ταῦθ' ὠμολογηκὼς καὶ πρὸς τοὺς ἄλλους οἱ παρήσαν,  
παρὰ τε τοῦ Δημοφῶντος καὶ τοῦ Θηριππίδου τῶν

<sup>†</sup> Reiske and Bekker omit ἐγὼ.

<sup>u</sup> Κέρκυραν, Reiske.

<sup>v</sup> ἀπεγράψατο, Reiske.

<sup>x</sup> τούτων μὲν πρῶτον, Reiske.

<sup>7</sup> ἠμφισβήτησε, Reiske.

<sup>z</sup> ἔτι, Reiske.

ἀνδραπόδων εἰς τὴν προῖκα τὰς τιμὰς εἰληφώς, αὐ-  
 τὸς θ' ἑαυτὸν ἔχειν τὴν προῖκα ἀπογράφας πρὸς  
 τοὺς συνεπιτρόπους, οἰκῶν τε τὴν οἰκίαν ἐπειδὴ  
 τὰχιστα ἐτελεύτησεν ὁ πατήρ, πῶς οὐκ ἐκ πάντων  
 5 ὁμολογουμένον τοῦ πράγματος εὑρεθήσεται φανε-  
 ρῶς τὴν προῖκα, τὰς ὀγδοήκοντα μνᾶς, κεκομισμένος  
 καὶ λίαν ἀναιδῶς μὴ λαβεῖν ἐξαρνούμενος ; ἀλλὰ μὴν  
 ὡς ἀληθῆ λέγω, λαβὲ τὰς μαρτυρίας καὶ ἀνάγνωθι.

## ΜΑΡΤΥΡΙΑΙ.

- 10 Τὴν<sup>2</sup> μὲν τοίνυν προῖκα τοῦτον τὸν τρόπον ἔχει  
 λαβών. μὴ γήμαντος δ' αὐτοῦ τὴν μητέρα τὴν ἐμὴν  
 ὁ μὲν νόμος κελεύει τὴν<sup>3</sup> προῖκα ὀφείλγειν ἐπ' ἑννέα  
 ὀβολοῖς, ἐγὼ δ' ἐπὶ δραχμῇ μόνον τίθημι. γίγνε- 81:  
 ται<sup>1</sup> δ', ἐάν<sup>α</sup> τις συντιθῇ τό τ' ἀρχαῖον καὶ τὸ ἔργον  
 15 τῶν δέκα ἐτῶν, μάλιστα τρία τάλαντα. καὶ ταῦτα  
 μὲν οὕτως ὑμῖν ἐπιδείκνυμι λαβόντα καὶ ἔχειν ὁμολο-  
 γήσαντα μαρτύρων ἐναντίον τοσούτων· ἄλλας τοίνυν  
 ἔχει τριάκοντα μνᾶς, τοῦ ἐργαστηρίου λαβών τὴν  
 πρόσδοον, καὶ ἀναισχυντότατ'<sup>2</sup> ἀνθρώπων ἀποστε-  
 20 ρεῖν ἐπικεχείρηκεν. ἐμοὶ δ' ὁ πατήρ κατέλιπε τριά-  
 κοντα μνᾶς ἀπ' αὐτῶν<sup>3</sup> τὴν πρόσδοον· ἀποδομένων  
 δὲ τούτων τὰ ἡμίσεα τῶν ἀνδραπόδων πεντεκαίδεκά  
 μοι μνᾶς γίγνεσθαι κατὰ λόγον προσῆκεν. Θηριπ-  
 πίδης μὲν οὖν ἐπτά ἔτη τῶν ἀνδραπόδων ἐπιμεληθεὶς  
 25 ἑνδεκα μνᾶς τοῦ ἐνιαυτοῦ ἀπέφηνε, τέτταρσι μναῖς  
 καθ' ἕκαστον ἐνιαυτὸν ἔλαττον ἢ ὅσον προσῆκε λο-  
 γιζόμενος· οὗτος δὲ δύο ἔτη τὰ πρῶτα ἐπιμεληθεὶς  
 οὐδ' ὅτιοῦν ἀποδείκνυσιν, ἀλλ' ἐνίστε μὲν φησιν  
 ἀργῆσαι τὸ ἐργαστήριον, ἐνίστε δ' ὡς αὐτὸς μὲν  
 30 οὐκ ἐπεμελήθη τούτων, ὁ<sup>4</sup> δ' ἐπίτροπος Μιλύας, ὁ

<sup>α</sup> ἂν τις συντιθῇ, with the comma, Reiske, who also omits the comma after ἐτῶν.

ἀπελεύθερος ὁ ἡμέτερος, διώκησεν αὐτὰ, καὶ παρ' ἐκείνου μοι προσήκει λόγον λαβεῖν. ἂν οὖν καὶ νῦν εἴπῃ τινὰ τούτων τῶν λόγων, ῥαδίως ἐλέγχθήσεται ψευδόμενος. εἰ μὲν οὖν ἄργον φῆ γενέσθαι, λόγον 5 αὐτὸς ἀπενήνοχεν ἀναλωμάτων οὐκ εἰς σιτία τοῖς ἀνθρώποις, ἀλλ' εἰς ἔργα, τὸν εἰς τὴν τέχνην ἐλέφαντα καὶ μαχαιρῶν λαβὰς καὶ ἄλλας ἐπισκευὰς, ὡς ἐργαζομένων τῶν δημιουργῶν. ἔτι δὲ Θηριππίδῃ τριῶν ἀνδραπόδων, ἃ ἦν αὐτῷ ἐν τῷ ἐμῷ ἐργαστη- 10 ρίῳ, μισθὸν ἀποδεδωκέναι λογίζεται. καίτοι<sup>β</sup> μὴ γενομένης ἐργασίας οὔτε ἐκείνῳ λαβεῖν μισθὸν οὔτ' ἐμοὶ τὰ ἀναλώματα ταῦτα λογισθῆναι προσῆκεν. 82 εἰ δ' αὖ γενέσθαι μὲν φήσει, τῶν δ' ἔργων ἀπρασίαν εἶναι, δεῖ δὴπου τὰ γε ἔργα αὐτὸν ἀποδεδωκότα 15 μοι φαίνεσθαι, καὶ ὧν<sup>γ</sup> ἐναντίον ἀποδédωκε, παρασχέσθαι μάρτυρας. εἰ δὲ μηδὲν τούτων πεποίηκε, πῶς οὐκ ἔχει τὴν πρόσθετον δυοῖν ἐτοῖν τὴν ἐκ τοῦ ἐργαστηρίου, τὰς τριάκοντα μνᾶς, φανερώς οὕτω τῶν ἔργων γεγενημένων; εἰ δ' αὖ τούτων μὲν μηδὲν ἐρεῖ, 20 Μιλύαν δ' αὐτὰ φήσει πάντα διωκῆναι, πῶς χρὴ πιστεύειν, ὅταν φῇ τὰ μὲν ἀναλώματα αὐτὸς ἀνηλωκέναι, πλέον ἢ πεντακοσίας δραχμὰς, λῆμμα δ' εἴ τι γέγονεν, ἐκείνον ἔχειν; ἐμοὶ μὲν γὰρ δοκεῖ τούναντίον ἂν γενέσθαι τούτων, εἰ καὶ Μιλύας 25 τῶν ἐπεμελεῖτο, τὰ μὲν ἀναλώματ' ἐκείνος ἀναλώσας, τὰ δὲ λήμματα οὗτος λαβεῖν, εἴ τι δεῖ τεκμαίρεσθαι<sup>δ</sup> πρὸς τὸν ἄλλον αὐτοῦ τρόπον καὶ τὴν ἀνάδειαν. λαβὲ οὖν τὰς μαρτυρίας ταύτας, καὶ ἀνάγ- νωθι αὐτοῖς.

30

## ΜΑΡΤΥΡΙΑΙ.

Ταύτας<sup>δ</sup> τοίνυν ἔχει<sup>ε</sup> τριάκοντα μνᾶς ἀπὸ τοῦ ἐργαστηρίου, καὶ τὸ ἔργον αὐτῶν ὁκτὼ ἐτών· ὁ

<sup>β</sup> καίτοι γε, Reiske.<sup>ε</sup> ἔχει τὰς, Reiske.

εὰν ἐπὶ δραχμῇ τις τιθῇ μόνον, ἄλλας τριάκοντα  
 μνᾶς εὐρήσει. καὶ ταῦτα μὲν ἰδίᾳ μόνος εἴληφεν·  
 ἃ συντεθέντα πρὸς τὴν προῖκα μάλιστα τέτταρα  
 τάλαντα γίγνεται σὺν τοῖς ἀρχαίοις. ἃ δὲ μετὰ τῶν  
 5 ἄλλων ἐπιτρόπων κοινῇ διήρπακε, καὶ ὅσα ἔνια μηδὲ  
 καταλειφθῆναι παντάπασιν ἡμφεσβήτηκε<sup>α</sup>, ταῦθ'  
 ὑμῖν ἤδη ἐπιδείξω καθ' ἓν<sup>ο</sup> ἕκαστον. πρῶτον μὲν οὖν  
 περὶ τῶν κλινοποιῶν, οὓς κατέλιπε μὲν ὁ πατὴρ,  
 ἀφανίζουσι δ' οὗτοι, τετταράκοντα μὲν μνῶν ὑποκει-  
 10 μένουσ, εἴκοσι δ' ὄντας τὸν ἀριθμὸν, ἐπιδείξω ὑμῖν 82.  
 ὡς λίαν ἀναιδῶς καὶ φανερώς με ἀποστεροῦσιν. τού-  
 τους γὰρ καταλειφθῆναι μὲν οἴκοι παρ' ἡμῖν πάντες  
 ὁμολογοῦσι, καὶ τὰς<sup>1</sup> δώδεκα μνᾶς ἑκάστου τοῦ  
 ἐνιαυτοῦ τῷ πατρὶ γίγνεσθαι φασιν· αὐτοὶ δὲ λήμμα  
 15 μὲν παρ' αὐτῶν ἐν δέκα ἔτεσιν οὐδὲν ἐμοὶ γεγενη-  
 μένον ἀποφαίνουσιν ἀλλ' οὐδὲ μικρὸν, ἀναλώματος  
 δὲ κεφάλαιον<sup>2</sup> εἰς αὐτοὺς οὗτος ὀλίγου δεῖν λογί-  
 ζεται χιλίας· εἰς τοῦτ' ἀναιδείας ἐλήλυθεν. αὐτοὺς  
 δὲ τοὺς ἀνθρώπους, εἰς οὓς ταῦτ' ἀναλωκέναι<sup>3</sup> φησὶν,  
 20 οὐδαμοῦ μοι παραδεδώκασιν, ἀλλὰ πάντων κενότα-  
 τον<sup>4</sup> λόγον λέγουσιν, ὡς ὁ ὑποθεῖς τῷ πατρὶ τὰν-  
 δράποδα πονηρότατος ἀνθρώπων<sup>5</sup> ἐστὶ καὶ ἐράνους<sup>6</sup>  
 τε λέλοιπε πλείστους καὶ ὑπέρχρεως γέγονε, καὶ  
 τούτων οὐκ ὀλίγους κεκλήκασιν κατ' ἐκείνου μάρτυ-  
 25 ρας. τὰ δ' ἀνδράποδα ὅστις ἐστὶν ὁ λαβὼν ἢ πῶς<sup>7</sup>  
 ἐκ τῆς οἰκίας ἐξῆλθεν<sup>8</sup> ἢ τίς<sup>9</sup> ἀφείλετο ἢ πρὸς<sup>10</sup>  
 τίνα δίκην ἡττηνται περὶ αὐτῶν, οὐκ ἔχουσιν εἰπεῖν.  
 καίτοι εἴ τι ἔλεγον ὑγιές, οὐκ ἂν κατὰ τῆς ἐκείνου  
 πονηρίας παρείχοντο μάρτυρας, ἧς οὐδέν<sup>11</sup> μοι προσ-  
 30 ἡκει φροντίζειν, ἀλλὰ τούτων ἂν ἀντελαμβάνοντο

<sup>α</sup> ἡμφεσβήτηκε, Reiske. <sup>ο</sup> Reiske omits ἐν. <sup>1</sup> ἀνλωκέναι, Reiske.

<sup>2</sup> κενώτατον, Reiske, Bekker. <sup>5</sup> ἀνθρώπων πάντων, Reiske.

<sup>7</sup> ὅπως, Reiske.

<sup>1</sup> πρὸς τινα, Reiske.

<sup>8</sup> ὡς ἀφείλετό τις, Reiske.

<sup>11</sup> οὐδὲν προσῆκε, Reiske.

καὶ τοὺς λαβόντας ἀπεδείκνυσαν καὶ οὐδέν ἄν αὐ-  
τῶν παρέλειπον<sup>η</sup>. νῦν δ' ὡμότατ' ἀνθρώπων ὁμολο-  
γούντες καταλειφθῆναι καὶ λαβόντες ὡς αὐτοὺς<sup>ο</sup> καὶ  
καρπωσάμενοι δέκα ἔτη τοὺς ἀνθρώπους, ἄρδην ὅλον  
5 τὸ ἐργαστήριον ἀφανίζουσιν. καὶ ταῦθ' ὡς ἀληθῆ  
λέγω, λαβέ μοι τὰς μαρτυρίας καὶ ἀναγίγνωσκε.

## ΜΑΡΤΥΡΙΑΙ.

822

Ὅτι<sup>1</sup> τοίνυν οὐκ ἄπορος ἦν ὁ Μοιριάδης<sup>2</sup> οὐδ'  
ἦν τῷ πατρὶ τοῦτο τὸ συμβόλαιον εἰς τὰνδράποδα  
10 ἡλιθίως συμβεβλημένον, μεγίστῳ τεκμηρίῳ γνώ-  
σεσθε· λαβὼν γὰρ ὡς ἑαυτὸν Ἄφοβος τοῦτο τὸ  
ἐργαστήριον, ὡς αὐτοὶ τῶν μαρτύρων ἠκούσατε, καὶ  
δέον αὐτόν, εἰ καὶ τις ἄλλος ἠβούλετο<sup>ρ</sup> εἰς ταῦτα  
συμβάλλειν, τοῦτον διακωλύειν ἐπίτροπόν γ' ὄντα,  
15 αὐτὸς ἐπὶ τούτοις τοῖς ἀνδραπόδοις τῷ Μοιριάδῃ  
πεντακοσίας δραχμὰς ἐδάνεισεν, ἃς ὀρθῶς καὶ δικαίως  
παρ' ἐκείνου κεκομίσθαι ὡμολόγηκεν. καίτοι πῶς οὐ  
δεινόν, εἰ ἡμῖν μὲν πρὸς τῷ λῆμμα ἀπ' αὐτῶν μὴδὲν  
γεγονέναι καὶ αὐτὰ τὰ ὑποτεθέντα ἀπόλωλεν, οἱ  
20 πρότερον συνεβάλομεν, τῷ δ' εἰς τὰ ἡμέτερα δα-  
νεῖσαντι καὶ τοσούτῳ χρόνῳ ὕστερον πράξαντι καὶ  
οἱ τόκοι καὶ τὰρχαῖα ἐκ τῶν ἡμετέρων ἀποδέδονται  
καὶ οὐδεμία ἀπορία γέγονεν; ἀλλὰ μὴν ὡς ἀληθῆ  
λέγω, λαβέ<sup>9</sup> τὴν μαρτυρίαν καὶ ἀναγνῶθι.

25

## ΜΑΡΤΥΡΙΑ.

Σκέψασθε τοίνυν ὅσον ἀργύριον οὗτοι παρὰ<sup>3</sup>  
τοὺς κλινοποιοὺς κλέπτουσι, τετταράκοντα μὲν μνᾶς  
αὐτὸ τὸ ἀρχαῖον, δέκα δ' ἐτῶν τὸ ἔργον αὐτῶν δύο  
τάλαντα· δώδεκα γὰρ μνᾶς ἐκάστου τοῦ ἐνιαυτοῦ

<sup>η</sup> παρέλειπον, Reiske.<sup>ο</sup> αὐτοὺς, Reiske.<sup>ρ</sup> ἐβούλετο, Reiske, Bekker.<sup>9</sup> λάβε μοι, Reiske.

τὴν πρόσδοτον αὐτῶν ἐλάμβανον. ἄρα μικρόν τι καὶ ἐξ ἀφανοῦς<sup>†</sup> πόθεν καὶ παραλογίσασθαι ῥάδιον, ἀλλ' οὐ φανερώς οὕτωςι μικροῦ δεῖν τρία τάλαντα ταῦτα ἀνηρπάκασιν; ὧν κοινῇ διαπεφορημένων τὸ τρίτον  
5 δῆπον μέρος παρὰ τούτου μοι προσήκει κεκομίσθαι.

Καὶ<sup>4</sup> μὴν, ὦ ἄνδρες δικασταί, καὶ τὰ περὶ τοῦ ἐλέφαντος καὶ σιδήρου τοῦ καταλειφθέντος παρα- 82: πλήσιά πως τούτοις πεποιήκασιν· οὐδὲ γὰρ ταῦτ'<sup>5</sup> ἀποφαίνουσιν. καίτοι κεκτημένον μὲν τοσοῦτους κλι-  
10 νοποιούς, κεκτημένον δὲ μαχαιροποιούς οὐχ οἶόν τε μὴ οὐχὶ καὶ σίδηρον καὶ ἐλέφанта καταλιπεῖν, ἀλλ' ἀνάγκη ταῦτά γ' ὑπάρχειν· τί<sup>6</sup> γὰρ ἂν εἰργάζοντο τούτων μὴ ὑπαρξάντων; τὸν τοῖνον πλέον ἢ πεν-  
τήκοντα ἀνδράποδα κεκτημένον καὶ δυοῖν τέχναιν  
15 ἐπιμελούμενον, ὧν θάτερον ἐργαστήριον εἰς τὰς κλῖνας ῥαδίως δύο μνᾶς τοῦ μηνὸς ἀνήλυσκεν ἐλέ-  
φαντος, τὸ δὲ μαχαιροποιεῖον οὐκ ἔλαττον ἢ τοσ-  
οῦτον ἕτερον σὺν σιδήρῳ, τοῦτον οὐ φασὶ κατα-  
λιπεῖν οὐδὲν τούτων· εἰς τοῦτ' ἀναιδείας ἐληλύθασιν.  
20 ὅτι μὲν οὖν οὐ πιστὰ λέγουσι, καὶ ἐκ τούτων αὐτῶν ῥαδίον ἐστὶ μαθεῖν· ὅτι δ' ἐκεῖνος κατέλιπε τοσοῦτον τὸ πλῆθος ὥστε μὴ μόνον ἱκανὸν εἶναι κατεργάζεσθαι τοῖς ἑαυτοῦ δημιουργοῖς, ἀλλὰ καὶ τῷ βουλομένῳ  
προσωνεῖσθαι<sup>1</sup> τῶν ἄλλων, ἐκείθεν φανερόν, ὅτι αὐτὸς  
25 τε ἐπώλει ζῶν καὶ Δημοφῶν καὶ οὗτος τοῦ πατρὸς ἤδη τετελευτηκότος ἐκ τῆς οἰκίας τῆς ἐμῆς ἀπεδί-  
δοντο τοῖς βουλομένοις. καίτοι πόσον τινα χρὴ τὸν καταλειφθέντα νομίζειν εἶναι, ὅταν φαίνεται τηλι-  
κούτοις τε ἐργαστηρίοις ἐξαρκῶν καὶ χωρὶς ὑπὸ τῶν  
30 ἐπιτρόπων πιπρασκόμενος; ἄρ' ὀλίγον, ἀλλ' οὐ πολλῷ πλείω τῶν ἐγκεκλημένων; λαβὲ τοῖνον τῆς μαρτυρίας ταυτασί, καὶ ἀνάγνωθι αὐτοῖς.

<sup>†</sup> ἀφανοῦς; πόθεν; Reiske.    <sup>5</sup> τοῦτον, Reiske.    <sup>6</sup> τίνα, Reiske.

## ΜΑΡΤΥΡΙΑΙ.

Τούτου τοίνυν τοῦ ἐλέφαντός ἐστι πλεόν ἢ  
τάλαντον, ὃν οὔτε αὐτὸν οὔτε τὸ ἔργον μοι ἀπο-  
φαίνουσιν, ἀλλὰ καὶ τοῦτον ἄρδην ἀφανίζουσιν  
5 ὅλον.

Ἔτι<sup>1</sup> τοίνυν, ὧ ἄνδρες δικασταί, παρὰ<sup>2</sup> τὸν  
λόγον ὃν ἀποφέρουσιν, ἐξ ὧν αὐτοὶ λαβεῖν ὁμολο-  
γοῦσιν, ἐπιδείξω ὑμῖν τρεῖς μὲν ὄντας αὐτοὺς πλεόν  
ἢ ὀκτὼ τάλαντα ἐκ τῶν ἐμῶν ἔχοντας, ἰδίᾳ δ' ἐκ  
10 τούτων Ἄφοβον τρία τάλαντα καὶ χιλίας εἰληφότα,  
τά<sup>3</sup> τ' ἀναλωμένα χωρὶς τούτων πλείω τιθεῖς καὶ  
ὅσα ἐκ τούτων ἀπέδοσαν ἀφαιρῶν, ἵν' εἰδῆτε ὅτι  
οὐ μικρὰς ἀναιδείας τὰ ἐγχειρήματ' αὐτῶν ἐστίν.  
λαβεῖν γὰρ ἐκ τῶν ἐμῶν ὁμολογοῦσιν οὗτος μὲν  
15 ὀκτὼ καὶ ἑκατὸν μνᾶς, χωρὶς ὧν ἔχοντ' αὐτὸν ἐγὼ  
ἐπιδείξω νῦν, Θηριππίδης δὲ δύο τάλαντα, Δημο-  
φῶν δ' ἐπτὰ καὶ ὀγδοήκοντα μνᾶς. τοῦτο δέ ἐστι  
πέντε τάλαντα καὶ πεντεκαίδεκα μναῖ. τούτου<sup>4</sup>  
τοίνυν ὃ μὲν οὐκ ἄθρου<sup>ν</sup> ἐλήφθη, σχεδόν εἰσω  
20 ἐβδομήκοντα μναῖ καὶ ἐπτὰ, ἢ πρόσοδος ἡ ἀπὸ τῶν  
ἀνδραπόδων, ὃ δ' εὐθύς ἔλαβον οὗτοι, μικροῦ δέοντα<sup>ν</sup>  
τέτταρα τάλαντα· οἷς τὸ ἔργον ἂν προσθῆτε ἐπὶ  
δραχμῇ μόνον τῶν δέκα ἐτῶν, ὀκτὼ<sup>5</sup> τάλαντα εὐρή-  
σετε σὺν τοῖς ἀρχαίοις καὶ χιλίας γιγνομένας. τὴν  
25 μὲν τοίνυν τροφὴν ἀπὸ τῶν ἐβδομήκοντα<sup>χ</sup> μνῶν καὶ  
ἐπτὰ λογιστέον τῶν ἀπὸ τοῦ ἐργαστηρίου γιγνο-  
μένων. Θηριππίδης γὰρ ἐπτὰ μνᾶς ἐδίδου καθ'  
ἕκαστον τὸν ἐνιαυτὸν εἰς ταῦτα, καὶ ἡμεῖς τοῦτο  
λαβεῖν ὁμολογοῦμεν. ὥστε ἐβδομήκοντα μνᾶς ἐν  
30 τοῖς δέκα ἔτεσι τροφὴν τούτων ἡμῖν ἀνηλωκότων 82  
τὸ περιὸν τὰς ἐπτακοσίας προστίθῃμι αὐτοῖς, καὶ

<sup>1</sup> ἄθρου, Reiske.<sup>2</sup> δέον, Reiske.<sup>3</sup> ἐβδομήκοντα καὶ ἐπτὰ μνῶν, Reiske.

τούτῳ<sup>1</sup> πλείω εἰμι τεθεικώς. ὃ δ' ἐμοὶ δοκιμασθέντι  
 παρέδωκαν καὶ ὅσον εἰς τὴν πόλιν εἰσηννόχασι,  
 τοῦτο ἀπὸ τῶν ὀκτὼ τάλαντων καὶ τοῦ προσόντος  
 ἀφαιρετέον ἐστίν. ἀπέδωκαν μὲν τοίνυν οὗτος καὶ  
 5 Θηριππίδης μίαν καὶ τριάκοντα μνᾶς, εἰσφοράς δ'  
 εἰσηνηνοχέαι λογίζονται δυοῖν δεούσας εἴκοσι μνᾶς.  
 ἐγὼ δ' ὑπερβαλὼν<sup>γ</sup> τοῦτο ποιήσω τριάκοντα μνᾶς,  
 ἵνα πρὸς ταῦτα μὴδ' ἀντειπεῖν ἔχωσιν. οὐκοῦν ἂν  
 ἀφέλητε τὸ τάλαντον ἀπὸ τῶν ὀκτὼ τάλαντων,  
 10 ἐπτά τὰ λειπόμενά ἐστι, καὶ ταῦτ', ἐξ ὧν αὐτοὶ  
 λαβεῖν<sup>z</sup> ὁμολογοῦσι, τούτους ἔχειν ἐστὶν ἀναγκαῖον.  
 τοῦτο τοίνυν, εἰ καὶ τᾶλλα πάντα ἀποστεροῦσιν  
 ἀρνούμενοι μὴ ἔχειν, ἀποδοῦναι προσήκεν ὁμολογοῦν-  
 τὰς γε λαβεῖν ταῦτα ἐκ τῶν ἐμῶν. νῦν δὲ τί ποιού-  
 15 σιν; ἔργον μὲν οὐδὲν ἀποφαίνουσι τοῖς χρήμασιν,  
 αὐτὰ δὲ τὰ ἀρχαῖα πάντα ἀναλωκένας φασὶ σὺν  
 ταῖς ἐπτά καὶ ἑβδομήκοντα μναῖς. Δημοφῶν δὲ καὶ  
 προσοφείλοντας ἡμᾶς ἐνέγραψεν. ταῦτ' οὐ μεγάλη  
 καὶ περιφανὴς ἀναισχυντία; ταῦτ' οὐχ ὑπερβολή  
 20 δεινῆς αἰσχροκερδίας;<sup>a</sup> τί<sup>2</sup> οὖν ποτ' ἐστὶ τὸ δεινόν,  
 εἰ μὴ ταῦτα δόξει τηλικαύτας ὑπερβολὰς ἔχοντα;  
 οὗτος τοίνυν τὸ καθ' αὐτὸν ὀκτὼ καὶ ἑκατὸν μνᾶς  
 λαβεῖν ὁμολογῶν, ἔχει καὶ αὐτὰς καὶ τὸ ἔργον δέκα<sup>b</sup>  
 ἐτῶν, μάλιστα τρία τάλαντα καὶ χιλίας. καὶ ταῦθ'  
 25 ὡς ἀληθῆ λέγω, καὶ ἐν τοῖς λόγοις τοῖς τῆς ἐπιτρο-  
 ς ῆς τὸ λῆμμα ἕκαστος<sup>c</sup> τοῦθ' ὁμολογῶν λαβεῖν 826  
 ἅπαν ἀναλωκένας λογίζεται, λαβὲ τὰς μαρτυρίας καὶ  
 ἀνάγνωθι.

## ΜΑΡΤΥΡΙΑΙ.

30 Νομίζω<sup>1</sup> τοίνυν, ὧ ἄνδρες δικασταί, περὶ τού-

<sup>γ</sup> ὑπερβαλὼν καὶ, Reiske.

<sup>z</sup> ὁμολογοῦσι λαβεῖν, Reiske.

<sup>a</sup> αἰσχροκερδείας, Reiske, Bekker, and so, wherever the word occurs.

<sup>b</sup> τῶν δέκα, Reiske.

<sup>c</sup> τοῦθ' ἕκαστος, Reiske.

των ἱκανῶς μὲν ὑμᾶς μεμαθηκέναι, καὶ ὅσα κλέπτουσι καὶ<sup>d</sup> κακουργοῦσιν ἕκαστος αὐτῶν· ἔτι δ' ἀκριβέστερον ἐγνωτ' ἂν, εἴ μοι τὰς διαθήκας ἃς ὁ πατήρ κατέλιπεν οὗτοι ἀποδοῦναι ἠθέλησαν. ἐν γὰρ ἐκείναις  
 5 ἐγγέγραπτο, ὥς φησιν ἡ μήτηρ, ἃ κατέλιπεν ὁ πατήρ πάντα,<sup>e</sup> καὶ ἐξ ὧν ἔδει τούτους λαβεῖν τὰ δοθέντα, καὶ<sup>2</sup> τὸν οἶκον ὅπως μισθώσοιτο.<sup>f</sup> νῦν δ' ἀπαιτοῦντος ἐμοῦ καταλειφθῆναι μὲν ὁμολογοῦσιν, αὐτὰς δ' οὐκ ἀποφαίνουσιν. ταῦτα δὲ ποιοῦσι τό τε  
 10 πλῆθος οὐ βουλόμενοι καταφανὲς ποιῆσαι τῆς οὐσίας τὸ καταλειφθὲν, ὃ διηρπάκασιν οὗτοι, τὰς τε δωρεὰς ἵνα μὴ δοκῶσιν ἔχειν, ὥσπερ οὐκ ἐξ αὐτοῦ τοῦ πράγματος ἐλεγχθῆσόμενοι ῥαδίως. λαβὲ δ' αὐτοῖς τὰς μαρτυρίας ὧν<sup>g</sup> ἀπεκρίναντο καὶ ἀνάγνωθι.

15

ΜΑΡΤΥΡΙΑΙ<sup>3</sup>.

Οὗτος διαθήκην μὲν γενέσθαι φησὶ καὶ τὰ δύο τάλαντα Δημοφῶντι καὶ τὰς ὀγδοήκοντα μνᾶς τούτῳ δοθῆναι μαρτυρεῖ· τὰς δ' ἐβδομήκοντα μνᾶς, ἃς Θηριππίδης ἔλαβεν, οὐ προσγραφεῖναι φησιν,  
 20 οὐδὲ τὸ πλῆθος τῆς οὐσίας τὸ καταλειφθὲν, οὐδὲ τὸν οἶκον ὅπως μισθώσουσιν· οὐ γὰρ αὐτῷ συμφέρει προσομολογῆσαι ταῦτα. λαβὲ δὴ τὴν τούτου ἀπόκρισιν.

## ΜΑΡΤΥΡΙΑ.

827

25 Οὗτος<sup>1</sup> αὖ τὴν μὲν διαθήκην γενέσθαι φησὶ καὶ τὸ ἀργύριον ἐκ τοῦ χαλκοῦ καὶ τῆς κηκίδος ἀποδοθῆναι τῷ Θηριππίδῃ, ὃ ἐκείνος οὐ φησι, καὶ τὰ δύο τάλαντα τῷ Δημοφῶντι· περὶ<sup>2</sup> δὲ τῶν αὐτῷ<sup>h</sup> δοθέντων γραφεῖναι μὲν φησιν, οὐχ ὁμολογῆσαι δ'

<sup>d</sup> καὶ ὅσα, Reiske.<sup>e</sup> ἅπαντα, Reiske.<sup>f</sup> μισθώσουσι, Reiske.<sup>g</sup> ὧν ἐναντίον, Reiske.<sup>h</sup> αὐτῷ, Reiske, Bekker.

αὐτὸς, ἵνα μὴ δοκῇ λαβεῖν. τὸ δὲ πλῆθος τῆς οὐσίας οὐδ' οὗτος ἀποφαίνει καθόλου<sup>ι</sup>, οὐδὲ τὸ<sup>3</sup> μισθοῦν τὸν οἶκον· οὐδὲ γὰρ οὐδὲ τούτῳ συμφέρει προσομολογῆσαι ταῦτα. δῆλον τοίνυν ἐστὶν οὐδὲν ἥττον 5 τὸ πλῆθος τῶν καταλειφθέντων, καίπερ ἀφανιζόντων τούτων τὴν οὐσίαν ἐκ τῶν διαθηκῶν, ἐξ ὧν τοσαῦτα χρήματα ἀλλήλοις φασὶ δοθῆναι. ὅστις γὰρ ἐκ τεττάρων τάλαντων καὶ τρισχιλίων τοῖς μὲν τρία τάλαντα καὶ δισχιλίας προῖκα δέδωκε, τῷ δ' ἐβδό-  
10 μῆκοντα μνᾶς καρποῦσθαι φανερόν δήπου πᾶσιν ὅτι οὐκ ἀπὸ μικρᾶς οὐσίας, ἀλλὰ πλεον ἢ διπλασίας ἥς ἐμοὶ κατέλιπε ταῦτ' ἀφείλεν. οὐ γὰρ δήπου τὸν μὲν υἱὸν ἐμέ πένητα ἡβούλετο<sup>κ</sup> καταλιπεῖν, τούτους δὲ πλουσίους ὄντας ἔτι πλουσιωτέρους ποιῆσαι ἐπε-  
15 θύμησεν, ἀλλ' ἔνεκα τοῦ πλῆθους τῶν ἐμοὶ καταλειπομένων Θηριππίδῃ τε τοσοῦτον ἀργύριον καὶ Δημοφῶντι τὰ δύο τάλαντα, οὕτω μέλλοντι τῇ ἀδελφῇ τῇ ἐμῇ συνοικήσειν, καρποῦσθαι ἔδωκεν, ἵνα δυοῖν θάτερον διαπράξαιτο, ἢ διὰ τὰ διδόμενα βελ-  
20 τίους αὐτοὺς εἶναι περὶ τὴν ἐπιτροπὴν προτρέψειεν, ἢ εἰ κακοὶ γίγνοιτο, μηδεμιᾶς συγγνώμης παρ' ὑμῶν τυγχάνοιεν, εἰ τοσούτων ἀξιοθέντες τοιαῦτ' εἰς ἡμᾶς 828 ἐξαμαρτάνοιεν. οὗτος τοίνυν καὶ αὐτὸς πρὸς τῇ προικὶ καὶ<sup>ι</sup> θεραπαίνας λαβὼν καὶ τὴν οἰκίαν οἰκῶν, ἐπειδὴ  
25 δεῖ λόγον αὐτὸν δοῦναι τούτων, τὰ αὐτοῦ πράττειν φησίν. καὶ εἰς τοσοῦτον αἰσχροκερδίας ἤλθεν ὥστε καὶ τοὺς διδασκάλους τοὺς μισθοὺς ἀπεστέρηκε καὶ τῶν εἰσφορῶν ἔστιν ἃς οὐ κατέθηκεν, ἐμοὶ δὲ λογί-  
30 ζεται. λαβὲ δὴ καὶ ταύτας αὐτοῖς τὰς μαρτυρίας,

<sup>ι</sup> καθόλου τὸ καταλειφθῆν, Reiske.

<sup>κ</sup> ἐβούλετο, Reiske, Bekker, so also wherever the word occurs.

<sup>ι</sup> καὶ τὰς, Reiske.

## ΜΑΡΤΥΡΙΑΙ.

Πῶς<sup>1</sup> οὖν ἂν τις σαφέστερον ἐπιδείξειε πάντα  
 διηρηπακότα καὶ μηδὲ τῶν μικρῶν ἀπεσχημένον, ἢ  
 τοῦτον τὸν τρόπον ἐπιδεικνὺς μετὰ τοσούτων μαρ-  
 5 τύρων καὶ τεκμηρίων τὴν μὲν προῖκα λαβεῖν ὁμολο-  
 γήσαντα καὶ ἔχειν αὐτὸν πρὸς τοὺς ἐπιτρόπους  
 ἀπογράφαντα, τὸ δ' ἐργαστήριον κεκαρπωμένον  
 αὐτὸν καὶ τὴν πρόσοδον οὐκ ἀποφαίνοντα, τῶν δ'  
 10 ἄλλων τὰ μὲν πεπρακότα καὶ τὰς τιμὰς οὐκ ἀπο-  
 δεδωκότα, τὰ δ' ὡς ἑαυτὸν λαβόντα καὶ ταῦτ' ἠφα-  
 νικότα, ἔτι δὲ παρὰ τὸν λόγον ὃν αὐτὸς ἀπέδωκε<sup>m</sup>  
 τοσαῦτα κλέπτοντα, πρὸς δὲ τούτοις τὴν διαθήκην  
 ἠφανικότα, τὰ ἀνδράποδα πεπρακότα, τᾶλλα<sup>n</sup> οὕτω  
 πάντα διακηκότα ὡς οὐδ' ἂν οἱ ἔχθιστοι διοικήσειαν;  
 15 ἐγὼ μὲν οὐκ οἶδ' ὅπως ἂν τις σαφέστερον ἐπιδεί-  
 ξειεν.

Ἐτόλμα<sup>2</sup> τοίνυν πρὸς τῷ διαιτητῇ<sup>3</sup> λέγειν ὡς  
 ἀπὸ τῶν χρημάτων χρεά τε πάμπολλα ἐκτέτικεν  
 ὑπὲρ ἐμοῦ Δημοφῶντι καὶ Θηριππίδῃ τοῖς συνεπι-  
 20 τρόποις, καὶ ὡς πολλά τῶν ἐμῶν λάβοιεν, οὐδέτερον  
 ἔχων ἐπιδεικνύναι τούτων. οὔτε γὰρ ὡς ὀφείλοντά  
 με κατέλιπεν ὁ πατήρ ἐν τοῖς γράμμασιν ἀπέφηνεν<sup>o</sup>, 829  
 οὔθ' οἷς ἀποδεδωκέναι ταῦτ' ἔφη παρέσχηται μάρ-  
 τυρας, οὔτ' αὖ τὸν ἀριθμὸν τῶν χρημάτων εἰς τοὺς  
 25 συνεπιτρόπους ἐπανέφερεν ὅσον<sup>p</sup> αὐτὸς φαίνεται  
 λαβῶν, ἀλλὰ πολλοῖς ἐλάττω χρήμασιν. ἐρωτηθεὶς  
 δ' ὑπὸ τοῦ διαιτητοῦ ταῦτά τε καθ' ἕκαστον καὶ  
 τὴν οὐσίαν τὴν αὐτοῦ πότερον ἐκ τῶν ἐπικαρπιῶν  
 ἢ τάρχαϊα ἀναλίσκων διώκηκε, καὶ πότερον οὕτως<sup>1</sup>  
 30 ἐπιτροπευθεὶς ἀπεδέξατ' ἂν τοῦτον τὸν λόγον παρὰ  
 τῶν ἐπιτρόπων ἢ τάρχαϊ' ἂν ἀπολαβεῖν ἤξιον σὺν

<sup>m</sup> ἐπέδωκε, Reiske.<sup>o</sup> ἀναπέφηνεν, Reiske.<sup>n</sup> καὶ τᾶλλα, Reiske.<sup>p</sup> ὅσονπερ, Reiske.

τοῖς ἔργοις τοῖς γεγενημένοις, πρὸς μὲν ταῦτ' ἀπε-  
κρίνατο οὐδὲν, προῦκαλεῖτο δ' ἐθέλειν ἐπιδείξαι μοι  
τὴν οὐσίαν δέκα ταλάντων οὖσαν· εἰ δέ τι ἐλλείποι,  
αὐτὸς ἔφη προσθήσειν. κελεύοντος δ' ἐμοῦ πρὸς τὸν  
5 διαιτητὴν ἐπιδεικνύναι ταῦτα οὐκ ἐπέδειξεν, οὐδ'<sup>2</sup>  
ὥς οἱ συνεπίτροποι παρέδωκαν· οὐ<sup>3</sup> γὰρ ἂν αὐτοῦ  
κατεδιήτησε· μαρτυρίαν<sup>4</sup>. δ' ἐνεβάλετο τοιαύτην,  
περὶ ἧς πειράσεται τι λέγειν. εἰ μὲν οὖν καὶ νῦν  
ἔχειν με φῆ, τίνος παραδόντος ἐρωτᾶτε αὐτόν, καὶ  
10 καθ' ἑκάστον παρασχέσθαι μάρτυρας ἀξιοῦτε. εἰάν  
δ' εἶναι μοι φῆ τοῦτον τὸν τρόπον, λογιζόμενος<sup>9</sup> τὰ  
παρ' ἑκατέρῳ τῶν ἐπιτρόπων, διπλασίοις ἐλάττω  
φανήσεται λέγων, ἔχοντα δ' οὐδὲν μᾶλλον ἀποφαί-  
νων. ἐγὼ γὰρ ὥσπερ καὶ τοῦτον τσσαῦτ' ἔχοντ'  
15 ἐξήλεγξα, οὕτω κάκεινων ἑκάτερον οὐκ ἐλάττω τού-  
των ἔχοντα ἐπιδείξω. ὥστ' οὐ τοῦτ' αὐτῷ λεκτέον,  
ἀλλ' ὥς ἡ αὐτὸς ἢ οἱ συνεπίτροποι παρέδωκαν. εἰ  
δὲ μὴ τοῦτ' ἐπιδείξει, πῶς χρή ταύτῃ τῇ προκλήσει  
προσέχειν ὑμᾶς τὸν νοῦν; οὐδὲν γὰρ μᾶλλον ἔχοντά<sup>8</sup> 8ε  
20 με ἐπιδείκνυσιν.

Πολλὰ<sup>1</sup> τοίνυν ἀπορηθεῖς πρὸς τῷ διαιτητῇ  
περὶ πάντων τούτων, καὶ καθ' ἑκάστον ἐξελεγχό-  
μενος ὥσπερ νυνὶ παρ' ὑμῖν, ἐτόλμησε ψεύσασθαι  
πάντων δεινότατον, ὡς τέτταρά μοι τάλαντα ὁ  
25 πατήρ κατέλιπε κατορωρυγμένα καὶ τούτων κυρίαν  
τὴν μητέρα ἐποίησεν. ταῦτα δ' εἶπεν, ἵν' εἰ μὲν καὶ  
νῦν αὐτόν προσδοκήσαιμι ἐρεῖν, ἀπολογούμενος περὶ  
αὐτῶν διατρίβοιμι, δεόν ἕτερα αὐτοῦ κατηγορεῖν  
πρὸς ὑμᾶς· εἰ δ' ὥς μὴ ῥηθησομένων παραλίποιμι,  
30 νῦν αὐτὸς εἴποι, ἵνα δοκῶν εἶναι πλούσιος ἦττον  
ὑφ' ὑμῶν ἐλεοίμην. καὶ μαρτυρίαν μὲν οὐδεμίαν ἐνε-  
βάλετο τούτων ὁ ταῦτ' εἰπεῖν ἀξιώσας, ψιλῶ<sup>2</sup> δὲ

<sup>9</sup> καταλογιζόμενος, Reiske.

λόγῳ χρησάμενος ὡς πιστευθσόμενος ὑπ' <sup>3</sup> ἐκείνων.  
 καὶ ὅταν μὲν ἔρηται τις αὐτὸν εἰς τί τῶν ἐμῶν το-  
 σαῦτα χρήματ' ἀνήλωκε, χρέα φησὶν ὑπὲρ ἐμοῦ  
 ἐκτετικέναι καὶ πένητα ἐνταυθί<sup>†</sup> ζητεῖ ποιεῖν· ὅταν  
 5 δὲ βούληται, πλούσιον, ὡς ἔοικεν, εἴπερ<sup>8</sup> γε καὶ  
 τοσοῦτον ἐκείνος ἀργύριον οἴκοι κατέλιπεν. ὡς δ'  
 οὐκ ἀληθῇ λέγειν οἶόν τε αὐτὸν, ἀλλ' ἀδύνατόν τι  
 γενέσθαι τούτων, ἐκ πολλῶν ῥάδιον μαθεῖν. εἰ μὲν γὰρ  
 ὁ πατὴρ ἠπίσται τούτοις, δήλον ὅτι οὐτ' ἂν τᾶλλα  
 0 ἐπέτρεπεν οὐτ' ἂν ταῦθ' οὕτω καταθιπὼν αὐτοῖς  
 ἔφραζεν· μανία<sup>4</sup> γὰρ δεινὴ τὰ κεκρυσμένα εἰπεῖν,  
 μηδὲ τῶν φανερῶν μέλλοντα ἐπιτρόπους καταστή-  
 σειν. εἰ δ' ἐπίστευεν, οὐκ ἂν δήπου τὰ μὲν πλείστ'  
 αὐτοῖς τῶν χρημάτων ἐνεχείρισε, τῶν<sup>†</sup> δ' οὐκ ἂν  
 5 κυρίου ἐποίησεν. οὐδ' ἂν τῇ μὲν μητρί μου ταῦτα  
 φυλάττειν ἔδωκεν, αὐτὴν δ' ἐκείνην ἐνὶ τῶν ἐπιτρό- 831  
 πων τούτῳ γυναικ' ἔδωκεν· οὐ γὰρ ἔχει λόγον σώζειν  
 μὲν τὰ χρήματα διὰ τῆς ἐμῆς μητρός ζητεῖν, ἕνα δὲ  
 τῶν ἀπιστουμένων καὶ αὐτῆς καὶ τῶν χρημάτων κύριον  
 0 ποιεῖν. ἔτι δέ, τούτων εἰ τι ἦν ἀληθές, οἷεσθ' οὐκ ἂν  
 αὐτὴν λαβεῖν δοθεῖσαν ὑπὸ τοῦ πατρὸς, ὃς τὴν μὲν  
 προῖκα αὐτῆς ἤδη, τὰς ὀγδοήκοντα μνᾶς, ἔχων ὡς  
 συνοικήσων αὐτῇ τὴν Φιλωνίδου τοῦ Μελιτέως θυγα-  
 τέρ' ἔγχε· τεττάρων δὲ ταλάντων ἐνδον ὄντων, καὶ  
 5 ταῦτ' ἐκείνης ἐχούσης, ὡς οὗτός φησιν, οὐκ ἂν ἡγείσθ'  
 αὐτὸν καὶ ἐπιδραμεῖν, ὥστε γενέσθαι μετ' ἐκείνης αὐ-  
 τῶν κύριον; ἢ τὴν μὲν φανερὰν οὐσίαν, ἣν καὶ ὑμῶν  
 οἱ πολλοὶ συνήδεσαν ὅτι κατελείφθη, μετὰ τῶν συνε-  
 πιτρόπων οὕτως αἰσχυρῶς διήρπασεν, ὧν δ' οὐκ ἡμέλ-  
 0 λεθ' ὑμεῖς ἔσεσθαι μάρτυρες, ἀπέσχετ' ἂν ἐξὸν αὐτῷ  
 λαβεῖν; καὶ τίς ἂν πιστεύσειεν; οὐκ ἔστι ταῦτ',

<sup>†</sup> ἐνταυθοί, Reiske, Bekker.

<sup>8</sup> εἴπερ καὶ τοσοῦτον ἀργύριον ἐκείνος, Reiske.

<sup>†</sup> τούτων, Reiske.

ὡ ἄνδρες δικασταί, οὐκ ἔστιν, ἀλλὰ τὰ μὲν χρήμαθ' ὅσα κατέλιπεν ὁ πατήρ πάντα τούτοις παρέδωκεν, οὗτος δ', ἵν' ἦττον ἐλεθῶ παρ' ὑμῖν, τούτοις τοῖς λόγοις χρήσεται.

5 Πολλά<sup>1</sup> μὲν οὖν ἔγωγ' ἔχω καὶ ἄλλα τούτου κατηγορεῖν· ἐν δὲ περὶ πάντων κεφάλαιον εἰπὼν πάσας αὐτοῦ διαλύσω τὰς ἀπολογίας. τούτῳ γὰρ ἐξῆν μηδὲν ἔχειν τούτων τῶν πραγμάτων μισθώσαντι<sup>2</sup> τὸν οἶκον κατὰ τουτουσὶ τοὺς νόμους. λαβὲ  
10 τοὺς νόμους καὶ ἀνάγνωθι.

### ΝΟΜΟΙ.

Κατὰ τούτους τοὺς νόμους Ἀντιδῶρῳ μὲν ἐκ τριῶν ταλάντων καὶ τρισχιλίων ἐν ἑξ ἔτεσιν ἑξ τάλαντα καὶ πλεῖον ἐκ τοῦ μισθωθῆναι παρεδόθη, 832  
15 καὶ ταυθ' ὑμῶν τινὲς εἶδον· Θεογένης γὰρ ὁ Προβαλείσιος, ὁ μισθωσάμενος αὐτοῦ τὸν οἶκον, ἐν τῇ ἀγορᾷ ταῦτα τὰ χρήματα ἐξηρίθμησεν. ἐμοὶ δ' ἐκ τέτταρων καὶ δέκα ταλάντων ἐν δέκα ἔτεσι πρὸς<sup>1</sup> τὸν χρόνον τε καὶ τὴν ἐκείνου μίσθωσιν πλεῖον ἢ  
20 τριπλάσια κατὰ τὸ εἶκος προσῆκον γενέσθαι, τοῦτο διὰ τί οὐκ ἐποίησεν, ἐρωτᾷ αὐτόν. εἰ μὲν γὰρ φησι<sup>1</sup> βέλτιον εἶναι μὴ μισθωθῆναι τὸν οἶκον, δεῖξάτω μὴ διπλάσια μηδὲ τριπλάσιά μοι γεγεννημένα, ἀλλ' αὐτὰ τὰ ἀρχαῖά μοι πάντα<sup>2</sup> ἀποδοδόμενα. εἰ  
25 δ' ἐκ τεττάρων καὶ δέκα ταλάντων ἐμοὶ μὲν μὴ ἐβδομήκοντα μνᾶς παραδεδώκασιν, ὃ<sup>3</sup> δὲ καὶ προσοφείλοντά με αὐτῷ<sup>x</sup> ἀπέγραψε, πῶς ἀποδέξασθαι τι προσήκει τούτων λεγόντων; οὐδαμῶς δῆπουθεν.  
Τοσαύτης<sup>3</sup> τοίνυν οὐσίας μοι καταλειφθείσης  
30 ὅσην ἐξ ἀρχῆς ἠκούσατε, καὶ τοῦ<sup>4</sup> τρίτου μέρους

<sup>1</sup> βέλτιόν φησιν, Reiske.

<sup>2</sup> ἀποδοδόμενα πάντα, Reiske.

<sup>x</sup> αὐτῷ, Reiske.

πρόσοδον αὐτῆς φερούσης πεντήκοντα μνᾶς, ἐξὸν  
 τούτοις ἀπληστοτάτοις οὔσι χρημάτων, καὶ εἰ μὴ  
 μισθοῦν τὸν οἶκον ἡβούλουντο, ἀπὸ μὲν τούτων τῶν  
 προσιόντων, ἐῶντας<sup>5</sup> ὥσπερ εἶχε κατὰ χώραν, ἡμᾶς  
 5 τε τρέφειν καὶ τὰ πρὸς τὴν πόλιν διοικεῖν, καὶ ὅσα  
 ἐξ αὐτῶν περιεγίγνετο, ταῦτα προσπεριποιεῖν<sup>6</sup>,  
 τὴν<sup>7</sup> δ' ἄλλην οὐσίαν ἐνεργὸν ποιήσασιν, οὐσαν  
 ταύτης διπλασίαν, αὐτοῖς τε, εἰ χρημάτων ἐπεθύ-  
 μουν, μέτρια ἐξ αὐτῶν λαβεῖν ἐμοὶ τε σὺν τοῖς  
 10 ἀρχαίοις ἐκ τῶν προσόδων τὸν οἶκον μείζω ποιῆσαι,  
 τούτων μὲν οὐδὲν ἐποίησαν, ἀποδόμενοι δ' ἀλλήλοις  
 τὰ πλείστου ἄξια τῶν ἀνδραπόδων, τὰ δέ<sup>γ</sup> παντά- 835  
 πασιν ἀφανίσαντες, ἐμοῦ μὲν ἀνείλουν καὶ τὴν ὑπάρ-  
 χουσαν πρόσοδον, σφίσι δ' αὐτοῖς οὐ μικρὰν ἐκ τῶν  
 15 ἐμῶν κατεσκευάσαντο. λαβόντες<sup>2</sup> δὲ καὶ τᾶλλα  
 αἰσχροῦς οὕτω πάντα, πλέον ἢ τὰ ἡμίση<sup>α</sup> τῶν χρη-  
 μάτων μηδὲ καταλειφθῆναι κοινῇ πάντες ἀμφισβη-  
 τοῦσιν, ὡς πεντεταλάντου δὲ μόνον τῆς οὐσίας οὔσης  
 ἐκ τοσαύτης τοὺς λόγους ἀπενηνόχασιν, οὐ<sup>β</sup> πρόσο-  
 20 δον<sup>1</sup> μὲν ἐξ αὐτῶν οὐκ ἀποφαίνοντες, τὰ δὲ κεφάλαια  
 φανερά ἀποδεικνύντες, ἀλλ' αὐτὰ τὰ ἀρχαῖα οὕτως  
 ἀναιδῶς ἀνηλῶσθαι φάσκοντες. καὶ οὐδ' αἰσχύνονται  
 ταῦτα τολμῶντες. καίτοι τί ποτ' ἂν ἔπαθον ὑπ'  
 αὐτῶν, εἰ πλείω χρόνον ἐπετροπέυθην; οὐκ ἂν  
 25 ἔχοιεν<sup>ε</sup> εἰπεῖν. ὅπου γὰρ δέκα ἐτῶν διαγενομένων  
 παρὰ μὲν τῶν οὕτω μικρὰ κεκόμισμαι, τῷ δὲ καὶ  
 προσοφείλων ἐγγέγραμμαι, πῶς οὐκ ἄξιον διαγαν-  
 ακτεῖν<sup>δ</sup>; δῆλον δὲ παντάπασιν· εἰ<sup>ε</sup> κατελείφθην<sup>2</sup>  
 μὲν ἐνιαύσιος, ἐξ ἔτη δὲ προσεπετροπέυθην ὑπ'  
 30 αὐτῶν, οὐδ' ἂν τὰ μικρὰ ταῦτα παρ' αὐτῶν ἀπέλα-

<sup>γ</sup> δὲ καί, Reiske.

<sup>α</sup> ἡμίσηα, Reiske, Bekker.

<sup>ε</sup> ἔχοιμ' ἂν, Reiske.

<sup>ε</sup> εἰ γὰρ, Reiske. et [γὰρ], Bekker.

<sup>2</sup> διαλαβόντες, Reiske.

<sup>β</sup> οὐ omitted by Reiske.

<sup>δ</sup> ἀγανακτεῖν, Reiske, Bekker.

- βον. εἰ γὰρ ἐκεῖνα ἀνήλωται ὀρθῶς, οὐδὲν ἂν τῶν  
 νῦν παραδοθέντων ἐξήρκεσεν εἰς ἕκτον ἔτος, ἀλλ' ἡ  
 παρ' αὐτῶν ἂν μεῖτρεφον ἡ τῷ λιμῷ περιεῖδον ἀπο-  
 λόμενον<sup>1</sup>. καίτοι πῶς οὐ δεινόν. εἰ ἕτεροι μὲν οἶκοι  
 5 ταλαντιαῖοι καὶ διτάλαντοι καταλειφθέντες ἐκ τοῦ  
 μισθωθῆναι διπλάσιοι καὶ τριπλάσιοι γεγόνασιν,  
 ὥστε ἀξιούσθαι λειτουργεῖν, ὁ δ' ἐμὸς τριηραρχεῖν  
 εἰθισμένος καὶ μεγάλας εἰσφορὰς εἰσφέρειν μηδὲ  
 μικρὰς δυνήσεται διὰ τὰς τούτων ἀναισχυντίας ;  
 10 τίνας δ' οὗτοι λελοίπασιν ὑπερβολὰς εἰπεῖν ; οἱ καὶ  
 τὴν διαθήκην ἠφανίσασιν ὡς λήσונτες, καὶ τὰς μὲν 83  
 σφετέρας αὐτῶν οὐσίας ἐκ τῶν ἐπικαρπιῶν διωκῆκασι  
 καὶ τάρχαῖα τῶν ὑπαρχόντων ἐκ τῶν ἐμῶν πολλῶ  
 μείζω πεποιήκασι, τῆς δ' ἐμῆς οὐσίας, ὥσπερ<sup>1</sup> τὰ  
 15 μέγιστα ὑφ' ἡμῶν ἀδικηθέντες, ὅλον τὸ κεφάλαιον  
 ἀνῆράκασιν ; καὶ ὑμεῖς μὲν οὐδὲ τῶν εἰς ὑμᾶς ἀμαρ-  
 τανόντων ὅταν τινὸς καταψηφίσησθε, οὐ πάντα τὰ  
 ὄντα ἀφείλεσθε<sup>2</sup>, ἀλλ' ἡ γυναῖκας ἡ παιδὶ αὐτῶν  
 ἐλείψαντες μέρος τι κακείοις ὑπελείπετε· οὗτοι δὲ  
 20 τοσοῦτον διαφέρουσιν ὑμῶν ὥστε καὶ δωρεὰς παρ'  
 ἡμῶν προσλαβόντες, ἵνα δικαίως ἐπιτροπένωσι,  
 τοιαυτ' εἰς ἡμᾶς ὑβρίκασι, καὶ οὐδ' ἡσχύνθησαν εἰ  
 μὴ ἠλέησαν τὴν ἐμὴν ἀδελφὴν, εἰ δυοῖν ταλάντοις  
 ὑπὸ τοῦ πατρὸς ἀξιωθεῖσα μηδενὸς τεύζεται τῶν  
 25 προσηκόντων, ἀλλ' ὥσπερ ἔχθιστοί τινες, ἀλλ' οὐ  
 φίλοι καὶ συγγενεῖς καταλειφθέντες οὐδὲν τῆς  
 οἰκειότητος ἐφρόντισαν. ἀλλ' ἐγὼ μὲν ὁ πάντων  
 ταλαιπωρότατος πρὸς ἀμφοτέρα ἀπορῶ, ταύτην θ'  
 ὅπως ἐκδῶ καὶ τᾶλλ' ὀπόθεν διοικῶ. προσεπικεῖται δ'  
 30 ἡ πόλις ἀξιούσα εἰσφέρειν, δικαίως· οὐσίαν γὰρ  
 ἱκανὴν πρὸς ταῦτα κατέλιπέ μοι ὁ πατήρ. τὰ δὲ  
 χρήματα τὰ καταλειφθέντα οὗτοι πάντ' εἰλήφασι.

<sup>1</sup> ἀπολλύμενον, Reiske.

καὶ νῦν κομίσασθαι τὰ μαντοῦ ζητῶν εἰς κίνδυνον  
καθέστηκε τὸν μέγιστον. εἰ γὰρ ἀποφύγῃ με  
οὗτος, ὃ μὴ γένοιτο, τὴν ἐπωβελίαν<sup>3</sup> ὀφλήσω μνᾶς  
ἐκατόν. καὶ τούτῳ<sup>4</sup> μὲν, εἰ καταψηφίσῃσθε, τιμη-  
5 τὸν, οὐκ ἐκ τῶν ἑαυτοῦ χρημάτων, ἀλλ' ἐκ τῶν  
ἐμῶν ποιήσεται τὴν ἑκτισιν· ἐμοὶ δ' ἀτίμητον τοῦτ'  
ἐστίν, ὥστ' οὐ μόνον ἔσομαι τῶν πατριῶν ἀπεστερη-  
μένος<sup>5</sup>, ἀλλὰ καὶ πρὸς<sup>h</sup> ἡτιμωμένους<sup>1</sup>, εἰ μὴ νῦν 835  
ἡμᾶς<sup>i</sup> ὑμεῖς ἐλεήσητε. δέομαι οὖν ὑμῶν, ὦ ἄνδρες  
10 δικασταί, καὶ ἱκετεύω καὶ ἀντιβολῶ, μνησθέντας καὶ  
τῶν νόμων καὶ τῶν ὀρκων, οὓς ὁμόσαντες δικάζετε,  
βοηθῆσαι ἡμῖν τὰ δίκαια, καὶ μὴ περὶ πλείονος τὰς  
τούτου δεήσεις ἢ τὰς ἡμετέρας ποιήσασθαι. δίκαιοι  
δ' ἔστ' ἐλεεῖν οὐ τοὺς ἀδίκους τῶν ἀνθρώπων, ἀλλὰ  
15 τοὺς παραλόγως δυστυχοῦντας, οὐδὲ τοὺς ὡμῶς  
οὕτως τὰλλότρια ἀποστεροῦντας, ἀλλ' ἡμᾶς τοὺς  
πολὺν χρόνον ὧν ὁ πατὴρ ἡμῖν κατέλιπε στερομέ-  
νους<sup>k</sup> καὶ πρὸς ὑπὸ τούτων ὑβριζομένους καὶ νῦν περὶ  
ἀτιμίας κινδυνεύοντας. μέγα δ' αὖ οἶομαι στενάξαι  
20 τὸν πατέρ' ἡμῶν, εἰ αἴσθοιτο τῶν προικῶν καὶ τῶν  
δωρεῶν ὧν αὐτὸς τούτοις ἔδωκεν, ὑπὲρ τούτων τῆς  
ἐπωβελίας τὸν αὐτοῦ υἱὸν ἐμὲ κινδυνεύοντα, καὶ ἄλ-  
λους μὲν τινὰς ἤδη τῶν πολιτῶν οὐ μόνον συγ-  
γενῶν, ἀλλὰ καὶ φίλων ἀνδρῶν ἀπορούντων θυγα-  
25 τέρας παρὰ σφῶν αὐτῶν ἐκδόντας, Ἄφοβον δὲ  
μηδ' ἣν ἔλαβε προικ' ἐθέλοντα ἀποδοῦναι, καὶ  
ταῦτ' ἔτει δεκάτι.

<sup>ε</sup> ἐστερημένος, Reiske.

<sup>h</sup> προσητιμωμένους, Reiske, Bekker.

<sup>i</sup> ὑμεῖς μ', Reiske, Bekker.

<sup>k</sup> στερουμένους, Reiske.

## ΚΑΤΑ ΑΦΟΒΟΥ Β.

ΠΟΛΛΑ<sup>2</sup> καὶ μεγάλ' ἐψευσμένου πρὸς ὑμᾶς  
 Ἀφόβου τοῦτ' αὐτὸν ἐλέγξει<sup>α</sup> πειράσομαι πρῶτον,  
 ἐφ' ᾧ μάλιστα ἠγανάκτησα τῶν ρηθέντων. εἶπε<sup>3</sup>  
 γὰρ ὡς ὁ πάππος ὤφειλε τῷ δημοσίῳ, καὶ διὰ ταῦθ' 836  
 5 ὁ πατὴρ οὐκ ἠβούλετο μισθωθῆναι τὸν οἶκον, ἵνα  
 μὴ κινδυνεύσῃ. καὶ τὴν μὲν πρόφασιν ποιεῖται ταύ-  
 την, ὡς δ' ὀφείλων ἐτελεύτησεν ἐκεῖνος, οὐδεμίαν  
 παρέσχετο μαρτυρίαν· ἀλλ' ὡς<sup>1</sup> μὲν ὤφλεν<sup>β</sup>, ἐνεβά-  
 λετο<sup>2</sup> τηρήσας τὴν τελευταίαν ἡμέραν, ταύτην δ' εἰς  
 10 τὸν ὕστερον λόγον ὑπελείπετο<sup>γ</sup> ὡς διαβαλεῖν τὸ πρᾶγ-  
 μα ἐξ αὐτῆς δυνησόμενος. εἰάν οὖν ἀναγνῶ, προσέχετ'  
 αὐτῇ τὸν νοῦν· εὐρήσετε γὰρ οὐχ ὡς ὀφείλει με-  
 μαρτυρημένην, ἀλλ' ὡς ὤφλεν<sup>δ</sup>. τοῦτ' οὖν ἐλέγξει<sup>ε</sup>  
 15 πειράσομαι πρῶτον, ἐφ' ᾧ φρονεῖ μάλιστα· ὁ καὶ  
 ἡμεῖς ἀμφισβητοῦμεν. εἰ<sup>3</sup> μὲν οὖν τότε ἐξεγένετο  
 καὶ μὴ τῷ χρόνῳ τοῦτ' ἐνηδρεύθημεν, παρεσχόμεθ'  
 ἂν μάρτυρας ὡς ἐξετίσθη τὰ χρήματα καὶ πάντ'  
 αὐτῷ διελέλυτο τὰ πρὸς τὴν πόλιν. νῦν δὲ τεκ-  
 μηρίοις μεγάλοις ἐπιδείξομεν ὡς οὐτ' ὤφειλεν οὐτ' ἦν  
 20 κίνδυνος οὐδεὶς<sup>ι</sup> ἡμῖν φανερά κεκτημένοις τὰ ὄντα. πρῶ-  
 τον μὲν γὰρ Δημοχάρης, ἔχων ἀδελφὴν τῆς ἐμῆς μη-  
 τρός, θυγατέρα δὲ Γύλωνος, οὐκ ἀποκέκρυπται τὴν  
 οὐσίαν, ἀλλὰ χορηγεῖ καὶ τριηραρχεῖ καὶ τὰς ἄλλας  
 λειτουργίας λειτουργεῖ καὶ οὐδέν τῶν τοιούτων δέ-  
 25 δοικεν. ἔπειτ' αὐτὸς ὁ πατὴρ τὴν τ' ἄλλην οὐσίαν  
 καὶ τέτταρα<sup>4</sup> τάλαντα καὶ τρισχιλίας φανεράς

<sup>α</sup> ἐξελέγξει, Reiske.

<sup>γ</sup> ὑπελείπετο, Reiske.

<sup>ε</sup> ἐξελέγξει, Reiske.

<sup>β</sup> ὤφειλεν, Reiske.

<sup>δ</sup> ὤφειλε, Reiske.

<sup>ι</sup> ἡμῖν οὐδεὶς, Reiske.

ἐποίησεν, ἃς οὗτοι γραφῆναί τε ἐν ταῖς διαθήκαις  
καὶ λαβεῖν σφᾶς αὐτοὺς κατ' ἀλλήλων καταμαρ-  
τυροῦσιν. ἔτι δὲ καὶ αὐτὸς Ἄφοβος μετὰ τῶν συν-  
5 ἐπιτρόπων τῇ πόλει τὸ πλῆθος τῶν καταλειφ-  
θέντων χρημάτων ἐμφανὲς ἐποίησεν, ἡγεμόνα<sup>5</sup> τῆς<sup>6</sup>  
συμμορίας καταστήσας με οὐκ ἐπὶ μικροῖς τιμή-  
μασιν, ἀλλ' ἐπὶ τηλικούτοις ὥστε κατὰ τὰς πέντε<sup>837</sup>  
καὶ εἴκοσι μνᾶς πεντακοσίας εἰσφέρειν. καίτοι εἴ<sup>h</sup>  
τι τούτων ἦν ἀληθές, οὐδὲν ἂν αὐτῶν ἐποίησεν,  
10 ἀλλὰ πάντ'<sup>i</sup> ἂν εὐλαβήθη. νῦν δὲ καὶ Δημοχάρης  
καὶ ὁ πατήρ καὶ αὐτοὶ οὗτοι φαίνονται φανερά  
ποιοῦντες, καὶ οὐδένα τοιοῦτον κίνδυνον δεδιότες.

Πάντων<sup>1</sup> δ' ἀτοπώτατόν ἐστι, λέγοντας ὡς ὁ  
πατήρ οὐκ εἶα μισθοῦν τὸν οἶκον τὴν μὲν διαθήκην  
15 μηδ' αὖ τοῦ ταύτην ἀποφαίνειν, ἐξ ἧς ἦν εἶδέναι τὰ-  
κριβές, τηλικαύτην δ' ἀνελόντας μαρτυρίαν οὕτως  
οἶεσθαι δεῖν εἰκῇ πιστεῦεσθαι παρ' ὑμῖν. ἀλλ' ἐχρῆν,  
ἐπεὶ δὴ τάχιστ' ἐτελεύτησεν ὁ πατήρ, εἰσκαλέσαν-  
τας μάρτυρας πολλοὺς παρασημῆνασθαι κελεῦσαι  
20 τὰς<sup>2</sup> διαθήκας, ἵν'<sup>3</sup> εἴ τι ἐγίγνετο<sup>k</sup> ἀμφισβητήσι-  
μον, ἦν εἰς τὰ γράμματα ταῦτ' ἐπανελθεῖν καὶ  
τὴν ἀλήθειαν πάντων εὔρεῖν. νῦν δ' ἕτερα<sup>4</sup> μὲν  
παρασημῆνασθαι ἤξιωσαν, ἐν οἷς πολλὰ τῶν κατα-  
λειπομένων οὐκ ἐγέγραπτο, ὑπομνήματα δ' ἦν.  
25 αὐτὴν δὲ τὴν διαθήκην, δι' ἧς τούτων ὡν ἐσημῆ-  
νάντο γραμμάτων καὶ τῶν ἄλλων ἀπάντων χρημάτων  
ἐγίγνοντο κύριοι, καὶ τοῦ μὴ μισθοῦν τὸν οἶκον τῆς  
αἰτίας ἀπελέλυντο, ταύτην δ' οὐκ ἐσημῆναντο, οὐδ'  
αὐτὴν ἀπέδωσαν. ἄξιόν γε πιστεύειν αὐτοῖς ὅ τι ἂν  
30 περὶ τούτων λέγωσιν.

Ἄλλ'<sup>5</sup> ἐγώ<sup>1</sup> οὐκ οἶδ' ὅ τι τοῦτ' ἔστιν. οὐκ εἶα

<sup>5</sup> ἡγεμόνα με τῆς συμμορίας καταστήσας, Reiske, Bekker.

<sup>h</sup> τούτων εἴτι, Reiske.

<sup>i</sup> πάντα ταῦτα εὐλαβήθη, Reiske.

<sup>k</sup> ἐγένετο, Reiske.

<sup>1</sup> ἔγωγε, Reiske.

μισθοῦν τὸν οἶκον οὐδ' ἐμφανῇ τὰ χρήματα ποιεῖν  
ὁ πατήρ. πότερον<sup>6</sup> ἐμοὶ<sup>m</sup> ἢ τῇ πόλει; φαίνεσθε  
γὰρ τούναντίον ἐκείνη μὲν φανερά ποιήσαντες, ἐμοὶ  
δὲ παντάπασιν ἀφανῇ πεποιηκότες, καὶ οὐδὲ ταῦτα  
5 ἀποφαίνοντες ἐξ ὧν τιμησάμενοι τὰς εἰσφοράς εἰσε-  
φέρετε. δείξατε γὰρ ταύτην τὴν οὐσίαν, τίς ἦν 838  
καὶ ποῦ παρέδοτέ μοι καὶ τίνος ἐναντίον. τὰ<sup>1</sup> μὲν  
γὰρ δύο τάλαντα καὶ τὰς ὀγδοήκοντα μνᾶς ἀπὸ  
τῶν τεττάρων ταλάντων καὶ τρισχιλίων ἐλάβετε,  
10 ὥστ' οὐδὲ ταῦθ' ὑπὲρ ἐμοῦ εἰς τὸ δημόσιον ἐτιμή-  
σασθε· ὑμέτεραι γὰρ ἦσαν ἐν ἐκείνοις τοῖς χρόνοις.  
ἀλλὰ μὴν ἕκ γε τῆς οἰκίας καὶ τῶν τεττάρων καὶ  
δέκα ἀνδραπόδων καὶ τῶν τριάκοντα μνῶν, ἃ μοι  
παρεδώκατε, τὴν εἰσφορὰν οὐχ οἷόν τε γενέσθαι  
15 τοσαύτην ὅσην ὑμεῖς συνετάξασθε πρὸς τὴν συμ-  
μορίαν. ἀλλ' ἀνάγκη μεγάλη τὰ καταλειφθέντα,  
πολλῷ πλείον' ὄντα τούτων, πάντα ὑμᾶς ἔχειν  
ἐστίν, ἃ φανερώς ὅτι διηρπάκατε ἐξελεγχόμενοι  
τοιαῦτα πλάττεσθαι τολμᾶτε. καὶ τοτὲ μὲν εἰς  
20 ἀλλήλους ἀναφέρετε, πάλιν δ' εἰληφέναι κατ' ἀλ-  
λήλων μαρτυρεῖτε. φάσκοντες δ' οὐ πολλὰ λαβεῖν  
μεγάλων ἀναλωμάτων λόγους ἀπενηνόχατε. πάντες  
δὲ κοινῇ με ἐπιτροπεύσαντες ἰδίᾳ μετὰ ταῦτα ἕκα-  
στοι μηχανᾶσθε. καὶ τὴν μὲν διαθήκην ἠφανίκατε,  
25 ἐξ ἧς ἦν εἰδέναι περὶ πάντων τὴν ἀλήθειαν, φαί-  
νεσθε δ' οὐδέποτε ταῦτά περὶ ἀλλήλων λέγοντες.  
Λαβὲ<sup>2</sup> δὴ τὰς μαρτυρίας, καὶ ἀνάγνωθι αὐτοῖς  
πάσας ἐφέξῃς, ἵνα μνησθέντες<sup>3</sup> καὶ τῶν μεμαρτυρη-  
μένων ἀκριβέστερον διαγνώσι περὶ αὐτῶν.

30

## ΜΑΡΤΥΡΙΑΙ.

Ταῦθ' οὗτοι πρὸς πεντεκαίδεκαταλάντους οἴκους  
συνετιμήσαντο ὑπὲρ ἐμοῦ μνῶν δ' οὐδ' ἐβδομήκοντα

<sup>m</sup> ἐμοὶ ταῦτα, Reiske. ἐμοὶ [ταῦτα], Bekker.

ἀξίαν μοι παραδεδώκασι τὴν οὐσίαν τρεῖς ὄντες. λέγε  
τάς ἐφεξῆς.

### MARTYRIAΙ.

Ταύτην τὴν προῖκα, ἣν οἱ τε ἐπίτροποι<sup>η</sup> κατα- 83  
5 μαρτυροῦσιν αὐτὸν λαβεῖν, ἄλλοι τε πρὸς οὓς ἔχει  
ὡμολόγησε, ταύτην οὔτε αὐτὴν οὔτε τὸν σῖτον  
ἀποδέδωκεν. λαβὲ τὰς<sup>ο</sup> ἄλλας καὶ ἀναγίνωσκε.

### MARTYRIAΙ.

Δύο ἔτη τὸ ἐργαστήριον διοικήσας Θηριππίδῃ  
10 μὲν ἀποδέδωκε τὴν μίσθωσιν, ἐμοὶ δέ, δυοῖν ἑτοῖν  
λαβὼν τὴν πρόσοδον, τριάκοντα μνᾶς, οὔτε αὐτάς  
οὔτε τὸ ἔργον ἀποδέδωκεν. λαβὲ ἑτέραν καὶ ἀναγ-  
νωθι.

### MARTYRIA.

15 Ταῦτα τὰνδράποδα ὡς αὐτὸν λαβὼν οὗτος, καὶ  
τᾶλλα τὰ μετὰ τούτων ὑποτεθέντα ἡμῖν, ἀνάλωμα  
μὲν εἰς αὐτὰ τοσοῦτο<sup>ρ</sup> λελόγισται, λῆμμα δὲ ἀπ'  
αὐτῶν οὐδ' ὅτιοῦν, καὶ αὐτοὺς δὲ τοὺς ἀνθρώπους  
ἠφάνικεν, οἱ δώδεκα μνᾶς ἀτελεῖς ἐκάστου τοῦ ἐνι-  
20 αὐτοῦ προσέφερον. λέγ' ἑτέραν.

### MARTYRIA.

Τούτον τὸν ἐλέφαντα καὶ τὸν σίδηρον πεπρα-  
κὼς οὐδὲ καταλειφθῆναί φησιν, ἀλλὰ καὶ τούτων  
τὴν τιμὴν ἀποστερεῖ με, μάλιστα τάλαντον. λέγε  
25 ταυτασί.

### MARTYRIAΙ.

Ταῖθ' οὗτος τρία τάλαντα καὶ χιλίας ἔχει χωρὶς  
τῶν ἄλλων, τοῦ μὲν ἀρχαίου πέντε τάλαντα, ἃ<sup>α</sup>

<sup>η</sup> συνεπίτροποι, Reiske.

<sup>ο</sup> Reiske omits τὰς.

<sup>ρ</sup> τοσοῦτον, Reiske.

<sup>α</sup> ἃ οὗτος εἴληφε, Reiske.

εἵληψε<sup>ρ</sup> σὺν δὲ τοῖς ἔργοις, ἐὰν ἐπὶ δραχμῇ τις τιθῇ μόνον, πλεόν ἢ δέκα τάλαντα ἔχει. λέγε τὰς ἐφεξῆς.

### MARTYRIAΙ.

Ταῦθ<sup>1</sup> οὗτοι γραφῆναι μὲν ἐν ταῖς διαθήκαις καὶ  
 5 λαβεῖν σφᾶς αὐτοὺς κατ' ἀλλήλων μαρτυροῦσιν.  
 οὗτος δὲ καὶ μεταμεμφθῆναι φάσκων ὑπὸ τοῦ πα-  
 τρός, καὶ ἐλθὼν εἰς τὴν οἰκίαν εἰσελθεῖν μὲν οὐ<sup>8</sup>  
 φησιν ὡς τὸν μεταπεμφάμενον, οὐδ' ὁμολογῆσαι  
 περὶ τούτων οὐδέν<sup>τ</sup>, Δημοφῶντος δ' ἀκοῦσαι γραμ-  
 10 ματεῖον ἀναγιγνώσκοντος καὶ Θηριππίδου λέγοντος  
 ὡς ἐκεῖνος ταῦτα διέθετο<sup>σ</sup>, καὶ προεισεληλυθὼς καὶ  
 ἅπαντα διωμολογημένος πρὸς τὸν πατέρα ὅσαπερ  
 ἐκεῖνος γράψας κατέλιπεν. ὁ γὰρ πατήρ, ὃ ἄνδρες  
 δικασταί, ὡς ἦσθετο τὴν νόσον οὐκ ἀποφευξόμενος<sup>ς</sup>,  
 15 συγκαλέσας τούτους τρεῖς ὄντας, καὶ συμπαρακα-  
 θισάμενος Δῆμωνα τὸν ἀδελφόν, τὰ σώματα ἡμῶν  
 εἰς τὰς χεῖρας ἐνέθηκε παρακαταθήκην ἐπονομάζων,  
 τὴν μὲν ἀδελφὴν Δημοφῶντι καὶ δύο τάλαντα προῖκα  
 διδούς εὐθύς, καὶ γυναῖκ' αὐτῷ ταύτην ἐγγυῶν, ἐμέ<sup>ε</sup>  
 20 δὲ πᾶσι κοινῇ μετὰ τῶν χρημάτων παρακατατιθέμενος,  
 καὶ ἐπισκῆπτων μισθῶσαί τε τὸν οἶκον καὶ συνδια-  
 σῶσαί μοι τὴν οὐσίαν, διδούς ἅμα<sup>υ</sup> τε Θηριππίδῃ  
 τὰς ἐβδομήκοντα μνᾶς, καὶ τούτῃ τὴν τ' ἐμὴν μη-  
 τέρα ἐγγυῶν ἐπὶ ταῖς ὀγδοήκοντα μναῖς, καὶ εἰς  
 25 τὰ τούτου γόνατα τιθεῖς<sup>ω</sup> ὧν οὗτος ὁ πάντων  
 ἀνθρώπων ἀνοσιώτατος οὐδένα<sup>χ</sup> λόγον ἐποίησατο,  
 κύριος τῶν ἐμῶν γενόμενος ἐπὶ τούτοις, ἀλλὰ τὰ  
 χρήματά με πάντα ἀπεστερηκὼς μετὰ τῶν συνε-  
 πιτρόπων ἐλεεῖσθαι<sup>1</sup> νῦν ὑφ' ὑμῶν ἀξιώσει, μνῶν

<sup>ρ</sup> οὐδενός, Reiske.

<sup>τ</sup> ἀποφευξόμενος, Reiske.

<sup>ω</sup> ἐντιθεῖς, Reiske.

<sup>σ</sup> διέθετο " " " καὶ, Reiske.

<sup>υ</sup> ἅμα Θηριππίδῃ τε, Reiske.

<sup>χ</sup> οὐδενός λόγον ἑαυτῷ δέδωκε, Reiske.

οὐδ' ἐβδομήκοντα ἄξια τρίτος αὐτὸς ἀποδεδωκώς,  
 εἶτα καὶ τούτοις αὐτοῖς πάλιν ἐπιβεβουλευκώς. ὥς  
 γὰρ τὰς δίκας ταύτας ἡμελλον<sup>1</sup> εἰσιέναι κατ' αὐ-  
 τῶν, ἀντίδοσιν<sup>2</sup> ἐπ' ἐπέ παρεσκεύασαν, ἵν' εἰ μὲν  
 5 ἀντιδῶν, μὴ ἐξείη μοι πρὸς αὐτοὺς ἀντιδικεῖν ὥς  
 καὶ τῶν δικῶν τούτων τοῦ ἀντιδόντος γιγνομένων, 841  
 εἰ δὲ μὴδὲν τούτων ποιοῖν, ἵν' ἐκ βραχείας οὐσίας  
 λειτουργῶν παντάπασιν ἀναιρεθῇ. καὶ τοῦτ' αὐ-  
 τοῖς ὑπῆρέτησε Θρασύλοχος<sup>1</sup> ὁ Ἀναγυράσιος. ἐγὼ  
 10 δὲ τούτων οὐδὲν ἐνθυμηθεὶς ἀντέδωκα<sup>2</sup> μὲν, ἀπέ-  
 κλεισα δὲ ὡς διαδικασίας τευζόμενος· οὐ τυχὼν δὲ  
 ταύτης, τῶν χρόνων ὑπογυίων ὄντων, ἵνα μὴ στε-  
 ρηθῶ τῶν δικῶν, ἀπέτισα τὴν<sup>3</sup> λειτουργίαν ὑποθεὶς  
 τὴν οἰκίαν καὶ τάμαντοῦ πάντα, βουλόμενος εἰς ὑμᾶς  
 15 εἰσελθεῖν τὰς πρὸς τοντουσὶ δίκας.  
 Ἄρ'<sup>4</sup> οὐ μεγάλα μὲν ἐξ ἀρχῆς ἠδίκημαι, μεγάλα  
 δ', ὅτι δίκην ζητῶ λαβεῖν, νῦν ὑπ' αὐτῶν βλάπτομαι;  
 τίς δ' οὐκ ἂν ὑμῶν τούτῳ μὲν φθονήσσειε δικαίως,  
 ἡμᾶς δ' ἐλέησειεν, ὁρῶν τῷ μὲν πρὸς τῇ οὐσίᾳ τῇ  
 20 παραδοθείσῃ πλεῖον ἢ δέκα<sup>5</sup> ταλάντων τὴν ἐμὴν  
 τοσαύτην οὖσαν προσγεγεννημένην, ἡμᾶς δὲ μὴ μόνον  
 τῶν πατρῶων διημαρτηκότας, ἀλλὰ καὶ τῶν νῦν πα-  
 ραδοθέντων διὰ τὴν τούτων πονηρίαν ἀπεστερημέ-  
 νους; ποῖ<sup>5</sup> δ' ἂν τραποίμεθα, εἴ τι ἄλλο ψηφίσαισθε  
 25 ὑμεῖς περὶ αὐτῶν; εἰς τὰ ὑποκείμενα τοῖς δανεί-  
 σασιν; ἀλλὰ τῶν ὑποθεμένων ἐστίν. ἀλλ' εἰς τὰ  
 περιόντ' αὐτῶν; ἀλλὰ τούτου γίγνεται, τὴν ἐπω-  
 βελίαν εἶν ὄφλωμεν. μηδαμῶς, ὦ ἄνδρες δικασταί,  
 γένησθε ἡμῖν τοσούτων αἵτιοι κακῶν· μὴδὲ τὴν  
 30 μητέρα καμὲ καὶ τὴν ἀδελφὴν ἀνάξια παθόντας  
 περιύδητε, οὓς ὁ πατήρ οὐκ ἐπὶ ταύταις ταῖς ἐλ-  
 πίσι κατέλιπεν, ἀλλὰ τὴν μὲν ὡς Δημοφῶντι συν-

<sup>1</sup> ἔμελλον, Reiske, Bekker.<sup>2</sup> δεκαταλάντῳ, Reiske.

οικήσουσαν ἐπὶ δυοῖν ταλάντοις προικί, τὴν δ' ἐπὶ  
ὀγδοήκοντα μναῖς τούτῳ τῷ σχετικωτάτῳ πάντων 84  
ἀνθρώπων, ἐμὲ δ' ὑμῖν διάδοχον ἀντ' αὐτοῦ τῶν  
λειτουργιῶν ἐσόμενον. βοηθήσατε οὖν ἡμῖν, βοή-  
5 θήσατε, καὶ τοῦ δικαίου καὶ ὑμῶν αὐτῶν ἕνεκα καὶ  
ἡμῶν καὶ τοῦ πατρὸς τοῦ τετελευτηκότος. σώσατε,  
ἐλεήσατε, ἐπεὶ οὗτοι συγγενεῖς ὄντες οὐκ ἠλέη-  
σαν, εἰς ὑμᾶς καταπεφύγαμεν. ἱκετεύω, ἀντιβολῶ  
πρὸς παίδων, πρὸς γυναικῶν, πρὸς τῶν ὄντων<sup>α</sup> ἀγα-  
10 θῶν ὑμῖν. οὕτως<sup>1</sup> ὄναισθε τούτων, μὴ περιιδήτε με,  
μηδὲ ποιήσητε τὴν μητέρα καὶ τῶν ἐπιλοιπῶν ἐλ-  
πίδων εἰς τὸν βίον στερηθεῖσαν ἀνάξιον αὐτῆς τι  
παθεῖν· ἢ νῦν μὲν οἶεται τυχόντα με τῶν δικαίων  
παρ' ὑμῖν ὑποδέξασθαι<sup>β</sup> καὶ τὴν ἀδελφὴν ἐκδώσειν·  
15 εἰ δ' ὑμεῖς ἄλλο τι γνώσεσθε, ὃ μὴ γένοιτο, τίνα  
οἴεσθε αὐτὴν ψυχὴν ἔξειν, ὅταν ἐμὲ μὲν ἴδῃ μὴ  
μόνον τῶν πατρῶων ἀπεστερημένον, ἀλλὰ καὶ πρὸς<sup>γ</sup>  
ἡτιμωμένον, περὶ δὲ τῆς ἀδελφῆς μὴδ' ἐλπίδα ἔχου-  
σαν ὥς τεύξεταί τινος τῶν προσηκόντων διὰ τὴν  
20 ἐσομένην ἀπορίαν; οὐκ ἄξιος, ὃ ἄνδρες δικασταί, οὐτ'  
ἐγὼ δίκης ἐν ὑμῖν μὴ τυχεῖν οὐθ' οὗτος τοσαῦτα  
χρήματ' ἀδίκῳ κατασχεῖν. ἐμοῦ μὲν γὰρ εἰ καὶ  
μήπω πείραν εἰληφατε, ποῖός τις ἂν εἰς ὑμᾶς εἴην,  
ἐλπίζειν προσήκει μὴ χεῖρω τοῦ πατρὸς ἔσεσθαι.  
25 τούτου δὲ πείραν ἔχετε, καὶ<sup>δ</sup> σαφῶς ἴστε ὅτι πολ-  
λὴν οὐσίαν παραλαβὼν οὐ μόνον οὐδὲν πεφιλότηνται  
πρὸς ὑμᾶς, ἀλλὰ καὶ τάλλότρια ἀποστερῶν ἐπιδέ-  
δεικται. ταῦτ' οὖν σκοποῦντες καὶ τᾶλλα μνησθέντες,  
ἢ δίκαιόν ἐστι, ταύτῃ διαψηφίσασθε. πίστεις δ'  
30 ἔχεθ' ἱκανὰς ἐκ μαρτύρων, ἐκ<sup>ε</sup> τῶν εἰκότων, ἐξ ὧν 843  
οὗτοι λαβεῖν ὁμολογοῦσιν ἀθρόα τὰμά. ταῦτα δ'

<sup>α</sup> ὄντων ὑμῖν ἀγαθῶν, Reiske.<sup>β</sup> ὑποδέξασθαι, Reiske.<sup>γ</sup> προσητιμωμένον, Reiske.<sup>δ</sup> ὥστε, Reiske.<sup>ε</sup> ἐκ τεκμηρίων, ἐκ τῶν εἰκότων, Reiske.

ἀνηλωκέναί φασιν οὐκ ἀνηλωκότες, ἀλλ' αὐτοὶ πάντ' ἔχοντες. ὧν ἐνθυμουμένους χρηρὴ ποιήσασθαι τινα ἡμῶν πρόνοιαν, εἰδότας ὅτι ἐγὼ μὲν τὰμαντοῦ δι' ὑμῶν κομισάμενος εἰκότως λειτουργεῖν ἐβελήσω, χά-  
 5 ριτας ὀφείλων ὅτι μοι δικαίως ἀπέδοτε τὴν οὐσίαν, οὗτος δ', εἰάν αὐτὸν ποιήσητε τῶν ἐμῶν κύριον, οὐδὲν ποιήσει τοιοῦτον<sup>†</sup>. μὴ γὰρ οἴεσθε αὐτὸν ὑπὲρ ὧν ἤρνηται μὴ λαβεῖν, ὑπὲρ τούτων ὑμῖν λειτουργεῖν ἐβελήσειν, ἀλλ' ἀποκρύψεσθαι μᾶλλον, ἵνα δικαίως  
 10 ἀποπεφευγέναί δοκῇ.

## ΠΡΟΣ<sup>1</sup> ΑΦΟΒΟΝ ΨΕΥΔΟΜΑΡΤΥΡΙΩΝ<sup>2</sup>.

### ΥΠΟΘΕΣΙΣ.

ΚΡΙΝΟΜΕΝΟΣ τῆς ἐπιτροπῆς Ἀφοβος ἐξήρτει παρὰ Δημοσθένους Μιλύαν εἰς βάσανον, εἰδὼς οὐ δοθησόμενον, οὐ γὰρ ἐδίδου Δημοσθένης, φάσκων οὐκ οἰκέτην, ἀλλ' ἐλεύθερον εἶναι τὸν Μιλύαν, ἐλευθερω-  
 15 θέντα ὑπὸ τοῦ πατρὸς ὅτε ἐτελεύτα, καὶ εἰς τούτου πίστιν ἄλλα τε παρεχόμενος καὶ δὴ καὶ μαρτυρίαν Φάνου<sup>α</sup>, ὡς ἐμαρτύρησε πρὸς τοὺς δικαστὰς, φάσκων ὡμολογηκέναί Ἀφοβον ἐπὶ τοῦ διαιτητοῦ ἐλεύθερον εἶναι Μιλύαν. αἰοῦς δὴ τῆς ἐπιτροπῆς Ἀφοβος  
 20 ψευδομαρτυριῶν Φάνω δικάζεται, ὑπὲρ οὗ τοῦτον τὸν λόγον ὁ Δημοσθένης λέγει, καὶ τάλῃθι φάσκων αὐτὸν μεμαρτυρηκέναί, καὶ πρὸς τούτῳ δεικνὺς ὡς 84 οὐδὲν ἐκ ταύτης τῆς μαρτυρίας Ἀφοβος ἐβλάβη,

<sup>†</sup> τούτων, Reiske.

<sup>α</sup> Στεφάνου, Reiske; also Στεφάνω just below, but where the name occurs in the speech itself, he reads Φάνος.

ἀλλὰ δι' ἐτέρους ἤλω μάρτυρας, οἷς οὐκ ἐπισκηψά-  
μενος δῆλός ἐστιν ἡδίκηκός.

Εἰ<sup>1</sup> μὴ πρότερόν μοι δίκης γενομένης πρὸς Ἀφο-  
βον, ὃ ἄνδρες δικασταί, συνήδη πολλῶ τούτων μείζω  
5 καὶ δεινότερ' αὐτοῦ ψευσαμένου ραδίως ἐξελέγξας  
διὰ τὴν περιφάνειαν τῶν ἀδικημάτων, θαυμαστῶς<sup>2</sup> ἂν  
ὡς<sup>b</sup> εὐλαβούμεν μὴ καὶ νῦν οὐ δυνηθῶ δεῖξαι, πῇ<sup>3</sup>  
παρακρούεται<sup>c</sup> ποθ' ἕκαστα ὑμᾶς αὐτῶν. νῦν δὲ σὺν<sup>4</sup>  
θεοῖς εἰπεῖν, ἅνπερ ἴσοι καὶ κοινοὶ<sup>5</sup> γένησθε ἡμῶν  
10 ἀκροαταί, πολλὰς ἐλπίδας ἔχω μηδὲν ἡττον ὑμᾶς  
τὴν ἀναίδειαν τὴν τούτου γινώσcesθαι τῶν πρότερον  
δικασάντων. καὶ ταῦτ' εἰ μὲν ἐδεῖτο λόγου τινὸς ἢ  
ποικιλίας, ἔγωγε κατώκνουν ἂν τὴν ἑμαυτοῦ κατα-  
μεμφόμενος ἡλικίαν· νῦν δ' ἀπλῶς δεῖ διδάξαι καὶ  
15 διηγῆσασθαι τὰ τούτῳ πεπραγμένα περὶ ἡμῶν. ἐκ  
δὲ τούτων οἶομαι πᾶσιν ὑμῖν εὐγνωστον ἔsεσθαι,  
πότερός ποθ' ἡμῶν ἔsθ' ὁ πονηρός.

Οἶδα<sup>6</sup> μὲν οὖν ὅτι τὴν δίκην<sup>7</sup> οὗτος εἴληχε ταύ-  
την οὐχὶ τῷ τὰ ψευδῇ τινὰ αὐτοῦ<sup>d</sup> καταμεμαρτυρη-  
20 κέναι ἐξελέγξειν πιστεύων, ἀλλ' ἡγούμενος διὰ τὸ  
μέγεθος τοῦ τιμήματος<sup>8</sup> τῆς δίκης, ἣν ὠφλεν, ἐμοὶ 84  
μὲν ἂν γενέσθαι τινὰ φθόνον, αὐτῷ<sup>e</sup> δ' ἔλεον, καὶ διὰ  
ταῦτα περὶ τῆς γεγεννημένης δίκης νῦν ἀπολογεῖται,  
περὶ ἧς τότε οὐδὲν ἔsχε δίκαιον εἰπεῖν. ἐγὼ δ', ὃ  
25 ἄνδρες δικασταί, εἰ<sup>1</sup> μὲν ἐπεπράγμην<sup>f</sup> τοῦτον τὴν δί-  
κην ἢ μηδὲν ἠθελον μέτριον συγχωρεῖν, ἡδίκουν  
μὲν οὐδ' ἂν οὕτως, τὰ παρ' ὑμῖν γνωσθέντα πρατ-  
τόμενος αὐτόν, ὅμως δ' ἂν εἶχέ τις εἰπεῖν ὡς λίαν  
ὠμῶς καὶ πικρῶς ὄντα συγγενῇ τοῦτον ἐκ τῆς

<sup>b</sup> ἴσως, Reiske.<sup>c</sup> παρακρούσεται, Reiske.<sup>d</sup> αὐτοῦ, Reiske. Bekker.<sup>e</sup> αὐτῷ, Reiske.<sup>f</sup> ἐπεπράγμην Ἀφοβον τοῦτον, Reiske.

- οὐσίας ἀπάσης ἐκβέβληκα. νῦν δὲ τούναντίον ἐστίν. οὗτος<sup>ε</sup> ἐμὲ τῶν πατρῶων ἀπάντων μετὰ τῶν συνεπιτρόπων ἀπεστέρηκε, καὶ οὐδ' ἐν ὑμῖν φανερώς ἐξελεγχθεὶς οἶεται δεῖν οὐδὲν τῶν μετρίων ποιεῖν, 5 ἀλλὰ διασκευασάμενος τὴν οὐσίαν, καὶ παραδούς τὴν μὲν οἰκίαν Ἀφόβῳ<sup>ζ</sup>, τὸν δ' ἀγρὸν Ὀνήτορι, πρὸς μὲν ἐκείνους δίκην καὶ πράγματ' ἔχειν ἐμὲ πεποιήκεν, ἐκ δὲ τῆς οἰκίας αὐτὸς τὰ σκεύη λαβὼν καὶ τὰνδράποδα ἐξαγαγὼν καὶ τὸν λάκκον συντρί- 10 ψας καὶ τὰ θυρώματ' ἀποσπάσας καὶ μόνον οὐκ αὐτὴν τὴν οἰκίαν ἐμπήσας Μέγαράδ' ἐξώκηκε καὶ κεῖ μετοίκιον τέθεικεν. ὥστε πολὺ ἂν δικαιότερον διὰ ταῦτα τὰ ἔργα τοῦτον μισήσαιτε ἢ ἐμοῦ τινὰ ἀνεπιείκειαν καταγνοίητε.
- 15 Περί<sup>θ</sup> μὲν οὖν τῆς αἰσχροκερδίας τῆς τούτου καὶ μιαρίας ὕστερόν μοι δοκεῖ διεξελθεῖν πρὸς ὑμᾶς, καὶ νῦν δ' ὡς ἐν κεφαλαίοις ἀκηκόατε· περὶ δὲ τῶν<sup>ι</sup> μεμαρτυρημένων<sup>η</sup>, ὡς ἔστιν ἀληθὴ, περὶ ὧν περ οἴσεται τὴν ψῆφον, ἥδη πειράσομαι διδάσκειν ὑμᾶς.
- 20 δέομαι δ' ὑμῶν ὧ ἄνδρες δικασταὶ δικαίαν δέξιν, ἐξ ἴσου ἡμῶν ἀμφοτέρων ἀκοῦσαι. τοῦτο δ' ἐστὶ 846 καὶ ὑπὲρ ὑμῶν ὁμοίως· ὅσῳ γὰρ ἂν ἀκριβέστερον τὰ πεπραγμένα μάθητε, τοσούτῳ δικαιοτέραν καὶ εὐορκοτέραν θήσεσθε τὴν<sup>ι</sup> ψῆφον περὶ αὐτῶν. ἐπι- 25 δεῖξω δὲ τοῦτον οὐ μόνον ὡμολογηκότα εἶναι τὸν Μιλίαν ἐλεύθερον, ἀλλὰ καὶ φανερόν τοῦτ' ἔργῳ πεποιηκότα, καὶ πρὸς τούτοις ἐκ<sup>ι</sup> βασάνου περὶ αὐτῶν πεφηνγότα τοῦτον τοὺς ἀκριβεστάτους ἐλέγχους, καὶ οὐκ ἐθελήσαντ' ἐκ τούτων ἐπιδείξαι 30 τὴν ἀλήθειαν, ἀλλ' αἰε<sup>κ</sup> πανουργοῦντα καὶ μάρτυρας ψευδεῖς παρεχόμενον καὶ διακλέπτοντα τοῖς

<sup>ε</sup> οὗτος μὲν ἐμὲ, Reiske.

<sup>η</sup> After this word Reiske reads ὧ ἄνδρες δικασταί.

<sup>ι</sup> περὶ αὐτῶν τὴν ψῆφον, Reiske.

<sup>κ</sup> Bekker omits αἰε.

αὐτοῦ λόγοις τὴν ἀλήθειαν τῶν πεπραγμένων,  
οὕτω μεγάλοις καὶ φανεροῖς ἐλέγχοις ὥστ' ὑμᾶς  
πάντας εἴσεσθαι σαφῶς ὅτι ἡμεῖς μὲν ἀληθῆ λέ-  
γομεν, οὗτος δ' οὐδὲν ὑγιὲς εἴρηκεν. ἄρξομαι δ'  
5 ἐντεῦθεν ὅθεν καὶ ὑμεῖς ῥᾶστ' ἂν μάθοιτε καὶ γὰρ  
τάχιστ' ἂν διδάξαιμι.

Ἐγὼ<sup>2</sup> γάρ, ὦ ἄνδρες δικασταί, Δημοφῶντι<sup>1</sup> καὶ  
Θηριππίδῃ καὶ τούτῳ δίκας ἔλαχον ἐπιτροπῆς ἀπο-  
στερηθεῖς ἀπάντων τῶν ὄντων γενομένης δέ μοι  
10 τῆς δίκης πρὸς τοῦτον πρῶτον ἐπέδειξα σαφῶς  
τοῖς δικάζουσιν, ὥσπερ ὑμῖν ἐπιδείξω, πάνθ' ὅσα  
ἡμῖν κατελείφθη χρήματα ἀπεστερηκότα τοῦτον  
μετ' ἐκείνων, οὐ καταψευδομαρτυρησάμενος<sup>3</sup>. τεκμή-  
ριον δὲ μέγιστον· μαρτυριῶν<sup>4</sup> γάρ πλεον ἢ πάνυ  
15 πολλῶν τῶν ἀπασῶν ἀναγνωσθεισῶν ἐπὶ τῇ δίκῃ,  
καὶ τούτων τῶν μὲν ὡς ἔδοσαν τι τούτῳ τῶν ἐμῶν  
καταμαρτυρουσῶν, τῶν δ' ὡς παρήσαν κομιζομένῳ,  
τῶν δ' ὡς πριάμενοι παρὰ τούτου τούτῳ τὰς τιμὰς  
διέλυσαν, οὐδ' ἢ τινὶ τούτων τῶν ψευδομαρτυριῶν  
20 ἐπεσκήψατο, οὐδὲ τετόλμηκε διώκειν ἀλλ'<sup>1</sup> ἢ ταύ- 84  
την μίαν οὔσαν, ἐν ἣ δραχμὴν οὐκ ἂν ἔχοι δεῖξαι  
μεμαρτυρημένην. καίτοι τό γε τίμημα τῶν χρη-  
μάτων ὧν ἀπεστερήμην οὐκ ἐκ ταύτης συντιθεῖς  
ἐλογιζόμην τοσοῦτον, οὐ γὰρ ἔνεστ' ἀργύριον,  
25 ἀλλ' ἐξ ἐκείνων καθ' ἕκαστα τιθεῖς, αἷς οὗτος οὐκ  
ἐπεσκήψατο. ὅθεν οἱ τότε ἀκούσαντες οὐ μόνον  
αὐτοῦ κατέγνωσαν, ἀλλὰ καὶ τῶν<sup>2</sup> ἐπιγεγραμμένων  
ἐτίμησαν. τίνος οὖν ἔνεκ' ἐκείνας μὲν εἶασε, τῇδε  
δὲ ἐπεσκήψατο; ἐγὼ καὶ τοῦτο διδάξω. τῶν μαρ-  
30 τυριῶν ὅσαι μὲν αὐτοῦ χρήματ' ἔχειν κατεμαρτύ-  
ρουν, ἥδει σαφῶς ὅτι τοσοῦτῳ μᾶλλον ἐλεγχθή-  
σεται ταύτ' ἔχων ὅσῳ πλείων λόγος δοθήσεται

<sup>1</sup> [Δήμωνι καὶ] Δημοφῶντι, Reinke.

καθ' ἐν περὶ ἐκάστου. τοῦτο δ' ἡμελλεν ἐν τῇ τῶν  
 ψευδομαρτυριῶν ἔσεσθαι κρίσει· ὁ γὰρ τότε ἐν  
 μικρῷ μέρει τινὶ τοῦ<sup>3</sup> παντός ὕδατος μετὰ τῶν  
 ἄλλων κατηγορήσαμεν, νῦν πρὸς ἅπαν τὸ ὕδωρ  
 5 αὐτὸ καθ' αὐτὸ διδάζειν ἡμέλλομεν. ἀποκρίσει<sup>4</sup> δ'  
 ἐπισκηψάμενος ἐνόμιζεν ὥσπερ τότε ὠμολόγησεν,  
 οὕτω πάλιν ἔξαρκος γενέσθαι<sup>m</sup> ταῦτα ἐφ' ἑαυτῷ  
 γενήσεσθαι. διὰ ταῦτα τήνδε διώκει. βούλομαι δὴ  
 ταύτην, ὥς ἔστιν ἀληθῆς, ἐπιδείξαι σαφῶς πᾶσιν  
 10 ὑμῖν, οὐκ ἐξ εἰκότων οὐδὲ λόγων πρὸς τὸ παρὸν  
 μεμηχανημένων, ἀλλ' ἐκ τοῦ παρὰ πᾶσιν ὑμῖν δό-  
 ξοντος, ὡς ἐγὼ νομίζω, δικαίου. σκοπεῖτε δ' ἀκού-  
 σαντες.

Ἐγὼ<sup>5</sup> γὰρ, ὦ ἄνδρες δικασταί, περὶ τῆς μαρ-  
 15 τυρίας τῆς ἐν τῷ<sup>6</sup> γραμματείῳ γεγραμμένης εἰδὼς  
 ὄντα μοι τὸν ἀγῶνα, καὶ περὶ τούτου τὴν ψῆφον  
 ὑμᾶς οἴσοντας ἐπιστάμενος, ᾤθηον δεῖν μηδὲν ἄλλο  
 τούτου πρότερον ἢ τοῦτον προκαλούμενος ἐλέγξαι<sup>n</sup>,  
 καὶ τί ποιῶ; παραδοῦναι παῖδα ἤθελον αὐτῷ γράμ- 84  
 20 ματα ἐπιστάμενον βασανίζειν, ὃς παρὴν ὅθ' ὠμο-  
 λόγει ταῦθ' οὗτος, καὶ τὴν μαρτυρίαν ἔγραφεν,  
 οὐδὲν ὑφ' ἡμῶν κελευσθεὶς κακοτεχνεῖν, οὐδὲ τὸ  
 μὲν γράφειν, τὸ δ' ἀφαιρεῖν ὧν οὗτος εἰρήκει  
 περὶ τούτων, ἀλλ' ἀπλῶς<sup>1</sup> ὑπὲρ τοῦ πάντα τάληθῃ  
 25 καὶ τὰ τούτῳ ῥηθέντα γράψαι. καίτοι τί κάλλιον  
 ἦν τοῦ τὸν παῖδα στρεβλοῦντα ἐλέγξαι<sup>o</sup> ψευδομέ-  
 νους ἡμᾶς; ἀλλὰ συνήδει πάντων μάλιστα<sup>2</sup> ἀνθρώπων  
 ὅτι τάληθῃ μεμαρτύρηται· διόπερ ἔφυγε τὴν βά-  
 σανον. ἀλλὰ μὴν οὐχ εἰς οὐδὲ δύο ταῦτ' ἴσασιν,  
 30 οὐδ' ὑπὸ μάλης ἢ πρόκλησις γέγονεν, ἀλλ' ἐν τῇ  
 ἀγορᾷ μέσῃ πολλῶν παρόντων. καὶ μοι κάλει τούτων  
 τοὺς μάρτυρας.

<sup>m</sup> γενέσθαι. ταῦτα δ', Reiske. <sup>n</sup> ἐλέγξαι, Reiske. <sup>o</sup> ἐλέγξαι, Reiske.

## ΜΑΡΤΥΡΕΣ.

Οὕτω<sup>2</sup> τοίνυν οὗτός ἐστι σοφιστῆς καὶ σφόδρ' ἐκὼν τὰ δίκαι' ἀγνοεῖν προσποιούμενος ὥστε ψευδομαρτυριῶν διώκων, καὶ περὶ τούτου τὴν ψῆφον 5 ὑμῶν μελλόντων οἴσειν καὶ ὁμωμοκότων, περὶ τῆς μαρτυρίας μὲν ἔφευγε<sup>p</sup> τὴν βάσανον, περὶ οὗ μάλιστα προσῆκεν αὐτῷ τὸν λόγον ποιεῖσθαι, περὶ δ' ἄλλων φησὶν ἐξαιτεῖν, ψευδόμενος. καίτοι πῶς οὐχ ὑπερφυῆς αὐτὸν μὲν δεινὰ πεπονθέναι φάσκειν, 10 εἰ τὸν ἐλεύθερον ἐξαιτῶν, ὡς ἐγὼ σαφῶς ὑμῖν ἐπίδειξω, μὴ παρέλαβε, τοὺς δέ μάρτυρας οὐ δεινὰ πᾶσχειν νομίζειν, τὸν ὁμολογουμένως δούλον περὶ ὧν ἐμαρτύρησαν<sup>q</sup> ἐκδιδόντος, οὐκ ἐθέλοντος τούτου παραλαβεῖν; οὐ γὰρ δὴ τοῦτό γ' ἔνεστιν εἰπεῖν, 15 ὡς περὶ μὲν τινῶν ὧν αὐτὸς βούλεται σαφῆς ἡ βάσανος, περὶ δ' αὖ τινῶν οὐ σαφῆς.

Ἔτι τοίνυν<sup>1</sup>, ὧ ἄνδρες δικασταί, ταύτην τὴν 849 μαρτυρίαν ἐμαρτύρησεν ἀδελφός<sup>r</sup> ὁ τούτου πρῶτος Αἴσιος, ὃς νῦν μὲν ἔξαρκός ἐστι τούτῳ συναγωνιζόμενος, τότε δ' ἐμαρτύρησε ταῦτα μετὰ τῶν 20 ἄλλων, οὐτ' ἐπιорκεῖν οὐτ' εὐθύς παραχρῆμα δίκην ὀφλισκάνειν βουλόμενος. ὃν οὐκ ἂν δήπου, ψευδῇ μαρτυρίαν εἰ παρεσκευαζόμεν, ἐνέγραψα ἂν εἰς τοὺς μάρτυρας, ὁρῶν μὲν Ἀφόβῳ<sup>3</sup> χρώμενον μάλιστα<sup>4</sup> ἀνθρώπων ἀπάντων, εἰδὼς δὲ συνεροῦντ' αὐτῷ τὴν δίκην, ἔτι δ' ἐμαντοῦ<sup>3</sup> ὄντα ἀντίδικον· οὐ<sup>4</sup> γὰρ 25 ἔχει λόγον τὸν ἑαυτοῦ διάφορον καὶ τούτου ἀδελφὸν μὴ ἀληθινῆς μαρτυρίας ἐγγράψαι μάρτυρα. τούτων τοίνυν εἰσὶ μὲν πολλοὶ μάρτυρες, ἔτι δ' οὐκ 30 ἐλάττω τεκμήρια τῶν μαρτύρων. πρῶτον μὲν γὰρ, εἴπερ ὡς ἀληθῶς ταῦτα μὴ ἐμαρτύρησεν, οὐκ ἂν

<sup>p</sup> ἔφυγε, Reiske.<sup>q</sup> ἐμαρτύρησεν, Reiske.<sup>r</sup> ἀδελφός, Bekker.

νῦν ἔξαρνος ἦν, ἀλλὰ τότε εὐθὺς ἐπὶ τοῦ δικαστη-  
 ρίου τῆς μαρτυρίας ἀναγιγνωσκομένης, ἥνικα<sup>5</sup> μάλ-  
 λον ἂν αὐτόν ἢ νῦν ὠφέλει. δεύτερον δ' οὐκ ἂν  
 ἡσυχίαν ἦγεν, ἀλλὰ δίκη<sup>6</sup> ἂν μοι βλάβης ἔλαχεν,  
 5 εἰ ψευδομαρτυριῶν ὑπόδικον αὐτὸν ἐποίουν κατὰ  
 τὰδε λφου<sup>8</sup> οὐ προσῆκον, ἐν ᾗ καὶ περὶ χρημάτων  
 καὶ περὶ ἀτιμίας ἄνθρωποι κινδυνεύουσιν. ἔτι δὲ τὸ  
 πρᾶγμ' ἂν ἐξελέγξαι ζητῶν ἐξήτησεν ἂν με τὸν  
 παῖδα τὸν γράφοντα τὰς μαρτυρίας, ἵν'<sup>7</sup> εἰ μὴ  
 10 παρεδίδουν, μηδέν<sup>1</sup> δίκαιον λέγειν ἐδόκουν. νῦν δὲ  
 τοσούτο τοῦ ποιῆσαι τι τούτων ἐδέησεν ὥστ' οὐδ'  
 ἐμοῦ παραδιδόντος, ἐπειδὴ ταῦτ' ἔξαρνος ἐγένεθ',  
 οὗτος παραλαβεῖν ἠθέλησεν, ἀλλ'<sup>8</sup> ὁμοίως φαίνον-  
 ται καὶ περὶ τούτων φεύγοντες τὰς βασάνους. καὶ  
 15 ταῦθ' ὡς ἀληθῆ λέγω, καὶ ἔν τε τοῖς μάρτυσι<sup>85</sup>  
 μεμαρτυρηκὼς Αἴσιος οὐκ ἡρνήθη ταῦτα ἐπὶ τοῦ  
 δικαστηρίου τούτῳ παρεστηκὼς τῆς μαρτυρίας ἀνα-  
 γιγνωσκομένης, ἐμοῦ τ' ἐκδιδόντος τὸν παῖδα περὶ  
 ἀπάντων τούτων βασανίζειν αὐτοῖς οὐκ ἠθέλησε  
 20 παραλαβεῖν, καθ' ἕκαστον ὑμῖν παρέξομαι τοὺς  
 μάρτυρας. καὶ μοι κάλει δεῦρ' αὐτούς.

### MARTYRES.

Ὅ<sup>1</sup> τοίνυν, ὦ ἄνδρες δικασταί, πάντων τῶν εἰρη-  
 μένων οἶομαι μέγιστον ὑμῖν ἐρεῖν σημεῖον τοῦ ταῦτ'  
 25 ἀποκρίνασθαι τούτον, βούλομαι διελθεῖν<sup>1</sup>. ἐπειδὴ  
 γὰρ ἐξίτηι με τὸν ἄνθρωπον ταῦθ' ὠμολογηκὼς ἃ  
 μεμαρτύρηται, βουλόμενος καὶ τοῦτ' αὐτόν ἐξελέγξαι  
 τεχνάζοντα τί ποιῶ; προσκαλοῦμαι<sup>2</sup> κατὰ Δῆμω-  
 νος εἰς μαρτυρίαν, ὄντος αὐτῷ θείου καὶ κοινωνοῦ τῶν  
 30 ἀδικημάτων, καὶ συγγράψας ταῦτ' ἐκέλευον μαρτυ-

<sup>8</sup> ἀδελφου, Reiske.

<sup>1</sup> μηδὲν ἂν, Reiske.

<sup>2</sup> διεξελεθεῖν, Reiske.

ρεῖν, ἃ νῦν διώκει τῶν ψευδομαρτυριῶν. οὗτος δὲ τὸ  
 μὲν πρῶτον ἀπηναισχύντει, τοῦ δὲ διαιτητοῦ κε-  
 λεύοντος μαρτυρεῖν ἢ ἐξομνύειν ἐμαρτύρησε πάνυ  
 μόγῃς. καίτοι εἰ γ' ἦν δούλος ἄνθρωπος<sup>π</sup> καὶ μὴ  
 5 προωμολόγητο πρὸς τοῦδ' ἐλεύθερος εἶναι τί<sup>3</sup> μαθὼν  
 ἐμαρτύρησεν, ἀλλ' οὐκ ἐξομόσας ἀπηλλάγη τοῦ  
 πράγματος; ἀλλὰ μὴν καὶ<sup>4</sup> περὶ τούτων ἤθελον  
 παραδοῦναι τὸν παῖδα τὸν γράφοντα τὴν μαρτυρίαν,  
 ὃς τὰ τε γράμματα ἤμελλε γνώσεσθαι τὰ αὐτοῦ,  
 10 καὶ τοῦτον ἐμνημόνευεν ἀκριβῶς μαρτυρῆσαντα  
 ταῦτα. καὶ ταῦτ' ἤθελον οὐχὶ μαρτύρων ἀπορῶν οἱ  
 παρῆσαν, ἦσαν<sup>κ</sup> γάρ, ἀλλ' ἵνα μὴ τούτους αἰτιῶτο  
 τὰ<sup>γ</sup> ψευδῇ μαρτυρεῖν, ἀλλὰ τὸ πιστὸν ἐκ τῆς βασι-  
 λικῆς τούτοις ὑπάρχον. καίτοι πῶς ἄξιόν ἐστι καταγνώ- 85  
 15 ναι τῶν<sup>1</sup> μαρτύρων διὰ<sup>2</sup> τοῦτο, οἱ μόνον τῶν πώποτ'  
 ἡγωνισμένων δίκην ἐν ὑμῖν τὸν διώκοντ' αὐτὸν αὐ-  
 τοῖς<sup>2</sup> μάρτυρα τούτων<sup>3</sup> ἐπιδεικνύουσι γεγεννημένον;  
 ἀλλὰ μὴν ὡς ἀληθῇ λέγω, λαβὲ τὴν πρόσκλησιν<sup>4</sup>  
 καὶ τὴν μαρτυρίαν.

## 20 ΠΡΟΣΚΛΗΣΙΣ. ΜΑΡΤΥΡΙΑ.

Τηλικαῦτα<sup>5</sup> τοίνυν δίκαια φυγῶν οὗτος, καὶ ἐκ  
 τοσούτων τεκμηρίων ἐπιδεικνύμενος ὅτι συκοφαντεῖ,  
 τοῖς μὲν αὐτοῦ μάρτυσιν ἄξιοι πιστεῦναι ὑμᾶς, τοὺς  
 δ' ἐμοὺς διαβάλλει καὶ φησιν οὐ τὰληθῇ μαρτυρεῖν.  
 25 βούλομαι δὴ καὶ ἐκ τῶν εἰκότων περὶ αὐτῶν εἰπεῖν.  
 οἷδ' οὖν ὅτι πάντες ἂν ὁμολογήσατε τοὺς<sup>2</sup> τὰ ψευδῇ  
 μαρτυροῦντας ἢ κέρδεσι<sup>6</sup> δι' ἀπορίαν ἐπαιρομένους  
 ἢ δι' ἐταιρίαν<sup>β</sup> ἢ καὶ δι' ἔχθραν τῶν ἀντιδίκων ἐθέ-  
 λειν ἂν τι τοιοῦτον ποιῆσαι. τούτων τοίνυν οὐδὲ δι'  
 30 ἐν ἂν εἶεν ἐμοὶ μεμαρτυρηκότες. οὔτε γὰρ ἐταιρία<sup>γ</sup>

<sup>π</sup> ἄνθρωπος, Reiske.

<sup>κ</sup> [ἦσαν γάρ], Reiske.

<sup>γ</sup> μαρτυρεῖν τὰ ψευδῇ, Reiske.

<sup>2</sup> αὐτοῖς, Reiske.

<sup>3</sup> τοὺς ψευδομαρτυροῦντας, Reiske.

<sup>β</sup> ἐταιρίαν, Reiske, Bekker.

πῶς γάρ, οἳ γε μήτε ἐν ταῖς αὐταῖς διατριβαῖς μήτε  
 καθ' ἡλικίαν, μὴ ὅτι ἐμοὶ τινες αὐτῶν, ἀλλ' οὐδὲ<sup>c</sup>  
 σφίσιν αὐτοῖς εἰσὶν; οὔτ' ἔχθρα τούτου φανερόν  
 γὰρ καὶ τοῦτ' ἐστίν· ὁ μὲν γὰρ ἀδελφὸς καὶ σύνδι-  
 5 κος, Φάνος δ' ἐπιτήδειος καὶ φυλῆτης, Φίλιππος δ'  
 οὔτε φίλος οὔτ' ἔχθρὸς, ὥστ' οὐδὲ ταύτην ἂν τις  
 ἐπενέγκοι δικαίως τὴν αἰτίαν. καὶ μὴν οὐδὲ δι' ἀπο-  
 ρίαν ἂν τις φήσειεν· πάντες γὰρ κέκτηνται τοσαύ-  
 την οὐσίαν ὥστε καὶ λειτουργεῖν ὑμῖν προθύμως καὶ  
 10 τὰ προσταττόμενα ποιεῖν. χωρὶς δὲ τούτων οὔτ'  
 ἀγνώτες ὑμῖν οὔτ' ἐπὶ τὰ χεῖρῳ γιγνωσκόμενοι, μέ-  
 τριοι δ' ὄντες ἄνθρωποι. καίτοι εἰ μήτ' ἄποροι μήτ'  
 ἔχθροὶ τούτου μήτε ἐμοὶ φίλοι, πῶς χρή κατὰ 852  
 τούτων λαβεῖν τιν' ὑποψίαν ὡς τὰ ψευδῇ μαρτυ-  
 15 ροῦσιν; ἐγὼ μὲν γὰρ οὐκ οἶδα.

Ταῦτα<sup>1</sup> τοίνυν οὗτος εἰδὼς, καὶ πάντων μάλιστα  
 ἐπιστάμενος τάληθῇ μεμαρτυρηκότας αὐτοὺς, ὅμως  
 συκοφαντεῖ καὶ φησιν οὐ μόνον οὐκ εἰπεῖν ταῦτα, ἀ  
 πῶς τις ἂν μᾶλλον ἐξελέγξειεν εἰρηκότα; ἀλλὰ καὶ  
 20 δοῦλον εἶναι τὸν ἄνθρωπον τῷ ὄντι. βούλομαι δὲ διὰ  
 βραχέων εἰπὼν πρὸς ὑμᾶς ἐξελέγξαι καὶ τοῦτ'  
 αὐτὸν ψευδόμενον. ἐγὼ γὰρ ὧ ἄνδρες δικασταὶ καὶ  
 περὶ τούτων ἠθέλησα τούτῳ παραδοῦναι βασανίζειν  
 τὰς θεραπαίνας, αἱ τελευτῶντος τοῦ πατρὸς μνημο-  
 25 νέουσιν ἀφεθέντα τούτον ἐλεύθερον εἶναι τότε. καὶ  
 πρὸς τούτοις ἡ μήτηρ κατ'<sup>2</sup> ἐμοῦ καὶ τῆς ἀδελφῆς,  
 οἱ μόνοι παῖδές ἐσμεν αὐτῇ, δι' οὓς κατεχέρευσεν τὸν  
 βίον, πίστιν ἠθέλησεν ἐπιθεῖναι παρασχησαμένη τὸν  
 ἄνθρωπον τούτον ἀφείναι τὸν πατέρα ἡνίκ' ἐτελεύτα,  
 30 καὶ νομίζεσθαι παρ' ἡμῖν πούτον ἐλεύθερον· ἦν μηδεὶς  
 ὑμῶν νομίζετω καθ' ἡμῶν ποτ' ἂν ὁμνῆναι ταῦτ'  
 ἐθέλειν, εἰ μὴ σαφῶς ᾔδει τὰ εὖορκα ὁμουμενῇ. ἀλλὰ

μὴν ὡς ἀληθῇ λέγω καὶ ταῦτ' ἡμεῖς ἑτοιμοὶ ποιεῖν,  
κάλει τούτων τοὺς μάρτυρας.

## ΜΑΡΤΥΡΕΣ.

Τοσαῦτα<sup>3</sup> τοίνυν δίκαια λέγειν ἔχόντων ἡμῶν,  
5 καὶ καταφεύγειν εἰς τοὺς μεγίστους ἐλέγχους ἔθε-  
λόντων περὶ τῶν μεμαρτυρημένων, πάντα ταῦτα  
φυγῶν οὗτος οἴεται, περὶ τῆς γεγενημένης δίκης  
διαβάλλων καὶ κατηγορῶν ἐμοῦ, τοῦ μάρτυρος ὑμᾶς  
πείσειν καταψηφίσασθαι, πάντων, οἶμαι, πρᾶγμα  
10 κατασκευάσας ἀδικώτατον καὶ πλεονεκτικώτατον.  
αὐτὸς μὲν γὰρ μάρτυρας ψευδεῖς παρεσκεύασται  
περὶ τούτων, συγχωρηγὸν ἔχων Ὀνήτορα τὸν κη- 85  
δεστήν καὶ Τιμοκράτην<sup>1</sup>. ἡμεῖς δ' οὐχὶ προειδότες,  
ἀλλ' ὑπὲρ αὐτῆς τῆς μαρτυρίας ἡγούμενοι τὸν ἀγῶν'  
15 ἔσσεσθαι, τοὺς περὶ τῶν ἐκ τῆς ἐπιτροπῆς χρημάτων  
μάρτυρας οὐ παρεσκευάσμεθα νῦν. ὅμως δέ, καίπερ  
οὕτω τούτου σεσοφισμένου, τὰ πράγματ' αὐτὰ διεξ-  
ιῶν οἴομαι ραδίως ὑμῖν ἐπιδείξιν δικαιότατ' ἀνθρώ-  
πων τούτον ὠφληκότα τὴν δίκην, οὐχ ὅτι τὸν Μι-  
20 λύαν ἐκώλυον βασανίζειν, οὐδ' ὅτι τούτον ἐλεύθερον  
ὠμολόγησεν, οἱ δὲ μάρτυρες οἵδε ἐμαρτύρησαν, ἀλλ'  
ὅτι πολλὰ τῶν ἐμῶν ἐξηλέγχθη λαβὼν καὶ τὸν οἶκον  
οὐκ ἐμίσθωσε τῶν νόμων κελενόντων καὶ τοῦ πατρὸς  
ἐν τῇ διαθήκῃ γράψαντος, ὡς ἐγὼ σαφῶς ὑμῖν ἐπι-  
25 δείξω. ταῦτα μὲν γὰρ ἦν πᾶσιν ἰδεῖν, οἱ νόμοι καὶ τὸ  
πλῆθος ὧν οὗτοι διηρπάκεισαν χρημάτων· τὸν Μιλύαν  
δ' οὐδ' ὅστις ἐστὶν οὐδεὶς ἤδει. γνῶσεσθε δ' ἐκ τῶν<sup>2</sup>  
ἐγκεκλημένων ὅτι ταῦθ' οὕτως ἔχοντ' ἐστίν.

Ἐγὼ<sup>3</sup> γάρ, ὦ ἄνδρες δικασταί, τὴν<sup>d</sup> δίκην ἔλαχον  
30 τούτῳ τῆς<sup>e</sup> ἐπιτροπῆς οὐχ ἐν τίμημα συνθεῖς, ὥσπερ  
ἂν εἴ τις συκοφαντεῖν ἐπιχειρῶν, ἀλλ' ἕκαστον ἐγ-  
γράψας, καὶ πόθεν λαβὼν καὶ πόσον τὸ πλῆθος

<sup>d</sup> Reiske omits τὴν.<sup>e</sup> Reiske omits τῆς.<sup>f</sup> Reiske omits εἰ.

καὶ παρὰ τοῦ, καὶ οὐδαμοῦ τὸν Μιλύαν παρέγραψα  
ὡς εἰδόμενα τι τούτων. ἔστιν οὖν τοῦ μὲν ἐγκλήματος  
ἀρχὴ “ταδ’<sup>1</sup> ἐγκαλεῖ Δημοσθένης Ἀφόβῳ· ἔχει  
μου χρήματ’ Ἀφοβος ἀπὸ ἐπιτροπῆς ἐχόμενα, ὅγ-  
5 δοήκοντα μὲν μνᾶς, ἣν ἔλαβε προῖκα τῆς μητρὸς  
κατὰ τὴν διαθήκην τοῦ πατρὸς.” τοῦτο πρῶτόν ἐστι  
τῶν χρημάτων ὧν ἀπεστερησθαι φημι. τοῖς δὲ μάρ-  
τυσι τί μεμαρτύρηται; “μαρτυροῦσι παραγενέσθαι  
πρὸς τῷ διαιτητῇ Νοθάρχῳ, ὅτε Ἀφοβος ὡμολόγει 85<sup>4</sup>  
10 Μιλύαν ἐλεύθερον εἶναι, ἀφεθέντα ὑπὸ τοῦ Δη-  
μοσθένους πατρὸς.” σκοπεῖτε τοίνυν παρ’ ὑμῖν αὐτοῖς,  
εἴ τις ἂν ὑμῖν ἢ ρήτωρ ἢ σοφιστὴς ἢ γόης οὗτος  
θαυμάσιος δοκεῖ γενέσθαι καὶ λέγειν δεινὸς ὥστ’ ἐκ  
ταύτης τῆς μαρτυρίας διδάξαι τιν’ ἀνθρώπων ὡς  
15 ἔχει τὴν προῖκ’ Ἀφοβος τῆς μητρὸς τῆς ἐαυτοῦ.  
καὶ<sup>1</sup> τί λέγων, ὦ πρὸς Διός; ὡμολόγησεν<sup>ε</sup> εἶναι  
Μιλύαν ἐλεύθερον; καὶ τί μᾶλλον ἔχων<sup>h</sup> τὴν  
προῖκα; οὐδὲν ἂν δῆπου διὰ τοῦτό γε δόξειεν.  
ἀλλὰ πόθεν τοῦτ’ ἐπεδείχθη; πρῶτον μὲν Θηριπ-  
20 πίδης ὧν αὐτῷ συνεπίτροπος κατεμαρτύρησε<sup>ε</sup> δοῦ-  
ναι· δεύτερον δὲ Δήμων θεῖος ὧν καὶ τῶν ἄλλων οἱ  
παρόντες ἐμαρτύρησαν σίτον τῇ μητρὶ δῶσειν ὁμο-  
λογεῖν τοῦτον ὡς ἔχοντα τὴν προῖκα. καὶ τούτοις  
οὐκ ἐπεσκήψατο, δηλονότι τάληθῇ μεμαρτυρηκότας  
25 εἰδώς. ἔτι τοίνυν ἡ μήτηρ πίστιν<sup>1</sup> ἠθέλησε ἐπιθεῖ-  
ναι κατ’ ἐμοῦ καὶ τῆς ἀδελφῆς, παραστησαμένη,  
λαβεῖν τὴν προῖκα τοῦτον τὴν ἐαυτῆς κατὰ τὴν  
τοῦ πατρὸς διαθήκην. ταύτας τὰς ὀγδοήκοντα μνᾶς  
πότερ’ αὐτὸν ἔχειν φῶμεν ἢ μή; καὶ πότερον διὰ  
30 τοῦσδε ὀφλεῖν<sup>k</sup> τοὺς μάρτυρας ἢ διὰ τοῦσδε; ἐγὼ

<sup>ε</sup> ὁμολογεῖς, Reiske, Bekker.

<sup>h</sup> ἔχω, Reiske, Bekker.

<sup>1</sup> ἠθέλησε πίστιν, Reiske.

<sup>k</sup> ὀφλεῖν, Reiske and Bekker, and so in all places where it occurs.  
The participle also they mark as a present.

μέν γὰρ οἶμαι διὰ τὴν ἀλήθειαν. ταύτας τοίνυν δέκ' ἔτη κεκαρπωμένος, καὶ οὐδὲ δίκην ὀφλῶν ἀποδοῦναι τετολμηκῶς, δεινὰ πεπονθέναι φησὶ καὶ διὰ τοῦσδε τοὺς μάρτυρας ὠφληκέναι. καίτοι<sup>1</sup> τούτων γ' οὐδεὶς 5 αὐτὸν ἔχειν ταύτην ἐμαρτύρησεν.

Περὶ<sup>3</sup> τοίνυν τῆς<sup>4</sup> ἐκδόσεως καὶ τῶν κλινοποιῶν καὶ τοῦ σιδήρου καὶ τοῦ καταλειφθέντος ἡμῖν ἐλέφαντος καὶ τῆς προικὸς τῆς ἀδελφῆς, ἣν οὗτος καθυφείκεν<sup>5m</sup> ὑπὲρ τοῦ καὶ αὐτὸς ἔχειν ὅσα βού- 85  
10 λοιτο τῶν ἐμῶν, ἀκούσατε, καὶ σκοπεῖθ' <sup>n</sup> ὡς δικαίως τ' ὠφληκε καὶ οὐδὲν ἦν Μιλύαν περὶ τούτων βασανιστέον. περὶ μὲν γὰρ ὧν καθυφείκας, νόμος ἔστι διαρρήδην ὃς κελεύει σε ὁμοίως ὀφλισκάνειν ὥσπερ ἂν αὐτὸς ἔχῃς· ὥστε τί<sup>1</sup> τῷ νόμῳ καὶ τῇ βασάνῃ;  
15 περὶ δ' αὖ τῆς ἐκδόσεως, ἐπικοινωνήσαντες τῷ Ξούθῳ καὶ διανειμάμενοι τὰ χρήματα καὶ τὰς συγγραφὰς ἀνελόντες, καὶ πάνθ' ὃν τρόπον ἠβούλεσθε κατασκευάσαντες, καὶ διαφθείραντες τὰ γράμμαθ', ὡς ὑμῶν ὁ Δήμων<sup>2</sup> κατεμαρτύρει, φενακίζετε καὶ του- 20  
τουςὶ παρακρούεσθαι<sup>o</sup> ζητεῖτε. περὶ τοίνυν τῶν κλινοποιῶν, εἰ σὺ λαβὼν ἀργύριον καὶ πολλὰ ἰδίᾳ κερδάνας ἐπὶ<sup>3</sup> τοῖς ἐμοῖς δανείζων, ὃν καὶ τοὺς ἄλλους προσῆκε κωλύειν, εἴτ' ἀφανεῖς πεποιήκας, τί<sup>4</sup> σοι ποιήσωσιν<sup>p</sup> οἱ μάρτυρες; οὐ γὰρ οὗτοί γε 25  
μεμαρτυρήκασιν ὡς ὁμολογεῖς ἐπὶ τοῖς ἐμοῖς δανείζειν καὶ λαβεῖν τάνδράποδα ὡς σαυτὸν, ἀλλ' ἐν τῷ λόγῳ τοῦτ'<sup>q</sup> ἔγραψας σὺ, κατεμαρτύρησαν δὲ οἱ μάρτυρες. ἀλλὰ μὴν<sup>r</sup> περὶ γε τοῦ ἐλέφαντος καὶ τοῦ σιδήρου, πάντας ἔγωγέ<sup>s</sup> φημι τοὺς οἰκέτας

<sup>1</sup> καίτοι γ' οὐδεὶς τούτων, Reiske.

<sup>m</sup> καθυφῆκεν, Reiske, Bekker, so also wherever it occurs.

<sup>n</sup> σκοπεῖσθ', Reiske.

<sup>o</sup> παρακρούεσθαι, Reiske.

<sup>p</sup> ποιήσουσιν, Reiske.

<sup>q</sup> ταῦτα γέγραφας σὺ συγκατεμαρτύρησαν δὲ, Reiske.

<sup>r</sup> μὴν καὶ, Reiske.

<sup>s</sup> ἐγώ, Reiske.

- εἰδέναι τοῦτον πωλοῦντα, καὶ παραδοῦναι καὶ τότε  
καὶ νῦν ἤθελον αὐτῷ τούτων ὄντινα βούλοιτο λαβὼν  
βασανίζειν. εἰ τοίνυν φήσει με, τὸν εἰδότα οὐκ  
ἐθέλοντα ἐκδιδόναι, τοὺς οὐκ εἰδότας ἐκδιδόναι, πολλὸν<sup>5</sup>  
5 δὴ<sup>ε</sup> μᾶλλον αὐτῷ παραλαβεῖν φανήσεται προσῆκον·  
εἰ γὰρ, οὓς ὡς εἰδότας ἐξεδίδουν ἐγώ, μηδὲν ἔχειν  
ἔφασαν τούτων αὐτὸν, ἀπήλλακτο δῆπουθεν ἂν τῆς  
αἰτίας. ἀλλ' οὐχὶ τοιοῦτόν ἐστιν, ἀλλὰ σαφῶς ἂν  
ἐξηλέγχθη πωλῶν καὶ τὴν τιμὴν κεκομισμένος. 856  
10 διόπερ τοὺς ὁμολογουμένως δούλους παραβὰς τὸν  
ἐλεύθερον ἡξίου βασανίζειν, ὃν οὐδ' ὅσιον παρα-  
δοῦναι, τὸ πρᾶγμα οὐκ ἄγειν<sup>υ</sup> εἰς ἔλεγχον ζητῶν,  
ἀλλὰ μὴ παραλαμβάνων βουλόμενός τι δοκεῖν λέ-  
γειν. περὶ τοίνυν πάντων τούτων, πρῶτον μὲν περὶ  
15 τῆς προικὸς, εἴθ' ὑπὲρ ὧν καθυφείκεν, εἴθ' ὑπὲρ  
τῶν ἄλλων, ἀναγνώσεται τοὺς τε νόμους καὶ τὰς  
μαρτυρίας, ἵν' εἰδήτε.

### NOMOI. MARTYPIAI.

- Οὐ<sup>1</sup> τοίνυν μόνον ἐκ τούτων ἂν γυνοίητε ὅτι  
20 δεινὸν οὐδ' ὀτιοῦν πέπονθε τὸν ἄνθρωπον οὐκ ἐκ-  
δόντος ἐμοῦ βασανίζειν, ἀλλὰ καὶ τὸ πρᾶγμα αὐτὸ  
εἰ σκέψαισθε. θῶμεν γὰρ δὴ τὸν Μιλύαν ἐπὶ τοῦ  
τροχοῦ στρεβλοῦσθαι, καὶ τί μάλιστ' ἂν αὐτὸν  
εὖξαιτο λέγειν σκοπῶμεν. οὐχ ὅτι τῶν χρημάτων  
25 οὐδ' ὀτιοῦν οἶδε τοῦτον ἔχοντα; καὶ\* δὴ λέγει. διὰ  
τοῦτ' ἄρ' οὐκ ἔχει; πολλοῦ γε<sup>υ</sup> δεῖ· τοὺς γὰρ  
εἰδότας καὶ παρόντας μάρτυρας παρεσχόμεν ἐγώ.  
τεκμήριον δὲ καὶ πίστις ἐστὶν οὐκ εἴ τις τι μὴ  
οἶδε τοῦτον ἔχοντα, πολλοὶ γὰρ ἂν εἶεν, ἀλλ' εἴ  
30 τις οἶδεν. καταμαρτυρησάντων τοίνυν σου<sup>χ</sup> τοσού-

<sup>ε</sup> δῆπου, Reiske.

<sup>υ</sup> γε καί, Reiske.

<sup>υ</sup> ἀγαγεῖν, Reiske.

<sup>χ</sup> τοσούτων σου, Reiske.

των μαρτύρων τίνι τῶν ψευδομαρτυριῶν<sup>3</sup> ἐπεσκήψω; δείξον. ἀλλ' οὐκ ἂν ἔχῃς δείξαι. καίτοι πῶς οὐ σαφῶς σὺ σαντὸν ἐξελέγγεις, ὅτι ψεύδῃ δεινὰ πεπονθέναι φάσκων καὶ τὴν δίκην ἀδίκως ὠφλη-  
 5 κέναι τὸν ἄνθρωπον οὐ παραλαβὼν, ὃς τοὺς ταῦτα μαρτυρήσαντας ἔχειν σε καὶ λαβεῖν, περὶ ὧν ὡς οὐ καταλειφθέντων σὺ τὸν Μιλύαν ἐξήτεις, ἀφήκας τῶν ψευδομαρτυριῶν; οὐς πολὺ κάλλιον ἦν, εἴπερ ἡδίκησο, διώκειν. ἀλλ' οὐκ ἡδικοῦμενος συκοφαντεῖς.

10 Πολλαχόθεν<sup>1</sup> μὲν οὖν ἂν τις ἴδοι τὴν σὴν πονη- 85 ρίαν, μάλιστα δ', εἰ περὶ τῆς διαθήκης ἀκούσειεν. τοῦ γὰρ πατρὸς, ὃ ἄνδρες δικασταί, τὰ καταλειφθέντα πάντα ἐν τῇ διαθήκῃ γράψαντος, καὶ τὸν οἶκον ὅπως μισθώσουσι, ταύτην<sup>2</sup> μὲν οὐκ ἀπέδωκεν,

15 ἵνα μὴ τὸ πλῆθος εὖροιμι ἐγὼ τῶν χρημάτων ἐξ αὐτῆς, ὡμολόγει δὲ κεκτήσθαι ταῦθ' ἃ μάλιστα οὐχ οἷόν τ' ἦν ἐξάρνῃ<sup>3</sup> γενέσθαι διὰ τὴν περιφάνειαν. ἦν δὲ ταῦθ' ἃ γεγράφθαι φησὶν ἐν τῇ διαθήκῃ δύο μὲν τάλαντα Δημοφῶντα λαβεῖν εὐθύς, τὴν δ'

20 ἀδελφὴν ὅταν ἡλικίαν ἔχῃ, τοῦτο δ' ἡμελλεν εἰς ἔτος δέκατον γενήσεσθαι, τοῦτον δ' ὀγδοήκοντα μνᾶς καὶ τὴν μητέρα τὴν ἐμὴν καὶ τὴν οἰκίαν οἰκεῖν, Θηριππίδην δ' ἐβδομήκοντα μνᾶς λαβόντα καρπώσασθαι, ἕως<sup>1</sup> ἀνὴρ ἐγὼ γενοίμην. τὰ δ'

25 ἄλλα ὅσ' ἐμοὶ χωρὶς τούτων κατελείφθη, καὶ τὸ<sup>4</sup> μισθοῦν τὸν οἶκον ἠφάνιζεν ἐκ τῆς διαθήκης, οὐ συμφέρειν<sup>2</sup> αὐτῷ νομίζων ταῦτ' ἐπιδειχθῆναι παρ' ὑμῖν. ἐπειδὴ τοίνυν ὡμολογεῖτο ὑπ' αὐτοῦ τούτου τὸν πατέρα ἡμῶν τελευτῶντα τοσοῦτον ἀργύριον

30 τούτων ἐκάστῃ δοῦναι, τεκμήριον οἱ δικάζοντες τότε τὰς ὁμολογίας ἐποίησαντο ταύτας τοῦ πλῆθους τῶν χρημάτων ὅστις<sup>5</sup> γὰρ ἀπὸ τῶν ὄντων τέτταρα

<sup>1</sup> ὥς ἐγὼ ἀνὴρ, Reiske, τέως, Bekker.

<sup>2</sup> συμφέρειν ταῦτα νομίζων αὐτῷ, Reiske.

τάλαντα καὶ τρισχιλίας προῖκα καὶ δωρεὰν ἔδωκε, φανερόν ἦν ὅτι οὐκ ἀπὸ μικρᾶς οὐσίας, ἀλλὰ πλεον ἢ διπλασίας ἧς ἐμοὶ κατέλιπε ταυτ' ἀφείλεν· οὐ γὰρ ἂν ἐδόκει τὸν μὲν υἱὸν ἐμὲ πένητα βούλεσθαι 5 καταστῆσαι, τούτους δὲ πλουσίους ὄντας ἔτι πλουσιωτέρους ποιῆσαι ἐπιθυμεῖν, ἀλλ' ἔνεκα τοῦ πλήθους τῶν ἐμοὶ καταλειπομένων Θηριππίδῃ τε τὰς ἐβδομήκοντα μνᾶς καὶ Δημοφῶντι τὰ δύο τάλαντα, 858 οὐπω μέλλοντι τῇ ἀδελφῇ τῇ ἐμῇ συνοικήσειν, καρποῦσθαι δοῦναι. ταῦτα δὲ τὰ χρήματα οὐδαμοῦ παραδούς ἐφαίνετο, οὐδ' <sup>1</sup> ἐλάττω μικροῖς· ἀλλὰ τὰ μὲν ἀναλωκέναι, τὰ δ' οὐ λαβεῖν ἔφη, τὰ δ' οὐκ εἰδέναι, τὰ <sup>2</sup> δὲ τὸν δεῖν ἔχειν, τὰ δ' ἔνδον εἶναι, τὰ <sup>3</sup> δὲ πάντα μᾶλλον ἢ ὅπου παρέδωκεν εἶχε 15 λέγειν.

Περὶ <sup>4</sup> δὲ τοῦ μὴ καταλειφθῆναι τὰ χρήματ' ἔνδον βούλομαι σαφῶς ὑμῖν ἐπιδείξαι ψευδόμενον. τοῦτον γὰρ τὸν λόγον καθέικεν <sup>5</sup>, ἐπειδὴ τὰ χρήματα μὲν πολλὰ πέφηνεν ὄντα, οὐκ εἶχε δ' ἐπι 20 δεῖξαι ταυθ' ὡς ἀποδέδωκεν, ἵνα <sup>6</sup> ἐξ εἰκότος <sup>b</sup> οὐδέν προσῆκον ἡμῖν φανῇ κομίζεσθαι τὰ γ' ὄντα παρ' ἡμῖν. εἰ <sup>7</sup> μὲν τοίνυν <sup>c</sup> ὁ πατήρ ἠπίσται τούτοις, δῆλον ὅτι οὐτ' ἂν τᾶλλα ἐπέτρεπεν οὐτ' ἂν ἐκεῖν οὕτω καταλιπὼν αὐτοῖς ἔφραζεν· ὥστε πόθεν ἴσα 25 σιν; εἰ δ' ἐπίστευεν, οὐκ ἂν δήπου τὰ μὲν πλείστ' αὐτοῖς τῶν χρημάτων ἐνεχείρισε, τῶν δ' οὐκ ἂν κυρίους ἐποίησεν, οὐδ' ἂν τῇ μὲν μητρί μου ταῦτα φυλάττειν παρέδωκεν, αὐτὴν δὲ ταύτην ἐνὶ τῶν ἐπιτρόπων τούτῳ γυναικ' ἡγγύησεν· οὐ γὰρ ἔχει 30 λόγον σῶσαι μὲν τὰ χρήματα δι' ἐκείνης ζητέιν, ἕνα δὲ τῶν ἀπιστουμένων ταύτης ἀκείνων κύριον

<sup>a</sup> καθῆκεν, Reiske, Bekker.

<sup>b</sup> εἰκότως, Reiske.

<sup>c</sup> οὐν, Reiske.

ποιεῖν. ἔτι<sup>δ</sup> δὲ τοῦτον, εἴ τι τούτων ἀληθὲς ἦν, οἴεσθε οὐκ ἂν αὐτὴν λαβεῖν δοθεῖσαν ὑπὸ τοῦ πατρός; ὃς τὴν μὲν προῖκα<sup>ε</sup> αὐτῆς ἤδη, τὰς ὀγδοήκοντα μνᾶς, ἔχων ὡς αὐτῇ συνοικήσων, τὴν Φιλω-  
 5 νίδου τοῦ Μελιτέως θυγατέρα ἔγῃμε δι' αἰσχροκερδίαν, ἵνα πρὸς αἷς εἶχε παρ' ἡμῶν ἐτέρας ὀγδοήκοντα μνᾶς λάβοι παρ' ἐκείνου· τεττάρων δὲ τάλαντων ἔνδον ὄντων καὶ ταῦτ' ἐκείνης ἐχούσης, ὡς οὗτος φησιν, οὐκ ἂν ἠγείσθε αὐτὸν καὶ ἐπιδραμεῖν,<sup>85</sup>  
 10 ὥστε γενέσθαι μετ' ἐκείνης αὐτῶν κύριον; ἢ τὴν μὲν φανεράν οὐσίαν, ἣν καὶ ὑμῶν πολλοὶ συνήδεσαν ὅτι κατελείφθη, μετὰ τῶν συνεπιτρόπων οὕτως αἰσχροῶς διήρπακεν· ὧν δ' οὐκ ἡμέλλεθ' ὑμεῖς ἔσεσθαι μάρτυρες, ἀπέσχετ' ἂν ἑξὸν αὐτῷ λαβεῖν; καὶ τίς  
 15 ἂν πιστεύσειεν; οὐκ ἔστι ταῦτα, ὧ ἄνδρες δικασταί, οὐκ ἔστιν. ἀλλὰ τὰ μὲν χρήματα, ὅσα κατέλιπεν ὁ πατήρ, ἐκείνη<sup>ς</sup> τῇ ἡμέρᾳ κατωρύττετο ὅτε εἰς τὰς τούτων χεῖρας ἦλθεν, οὗτος δ' οὐκ ἔχων ἂν<sup>ε</sup> εἰπεῖν ὅπου τι τούτων ἀπέδωκεν, ἵν' εὖπορος εἶναι δοκῶν  
 20 μηδενὸς τύχῳ παρ' ὑμῶν ἐλέου, τούτοις χρῆται τοῖς λόγοις.

Πολλὰ<sup>1</sup> μὲν οὖν ἔγωγ' ἔχω καὶ ἄλλα τούτου κατηγορεῖν· οὐκ ἐνδέχεται δέ μοι, τῷ<sup>2</sup> μάρτυρι τοῦ κινδύνου περὶ τῆς ἐπιτιμίας ὄντος, περὶ ὧν αὐτὸς  
 25 ἡδίκημαι λέγειν. ἀλλὰ βούλομαι πρόκλησιν ὑμῖν ἀναγνῶναι· γνώσεσθε γὰρ ἐξ αὐτῆς ἀκούσαντες, τὰ μεμαρτυρημένα ὡς ἔστιν ἀληθῆ, καὶ τὸν Μιλλύαν ὅτι νῦν περὶ πάντων φησὶν ἐξαιτεῖν, τὸ δὲ πρῶτον ὑπὲρ τριάκοντα μόνων μνῶν ἐξήτει, καὶ  
 30 προσέτι ζημιούται κατὰ τὴν μαρτυρίαν οὐδέν. ἐγὼ

<sup>δ</sup> ἔτι δὲ τούτων εἴ τι ἀληθὲς ἦν, Reiske.

<sup>ε</sup> προῖκα τῆς μητρὸς αὐτοῦ ἤδη, Reiske.

<sup>1</sup> ἐν ἐκείνῃ, Reiske, Bekker.

<sup>2</sup> νῦν, Reiske.

- γὰρ πανταχῇ τοῦτον ἐλέγξει<sup>h</sup> βουλόμενος, καὶ τὰς τέχνας αὐτοῦ καὶ τὰς πανουργίας ἐμφανεῖς ὑμῖν καταστῆσαι πειρώμενος, ἡρόμην αὐτὸν πόσα εἴη τὰ χρήματα τὸ πλῆθος καθ' ἃ τὸν Μιλύαν ὡς 5 συνειδὸτα<sup>i</sup> ἐξήτησεν· οὗτος δὲ ψευδάμενος<sup>k</sup> περὶ πάντων ἔφην· “περὶ μὲν τοίνυν” ἔφην ἐγὼ “τούτου παραδώσω σοι τὸν ἔχοντα τάντίγραφα<sup>l</sup>, ὡς σύ με προῦκαλέσω. προομόσαντος δέ<sup>l</sup> μου τὸν ἄνθρωπον ὡς ὠμολόγησας ἐλεύθερον εἶναι καὶ κατὰ 860
- 10 Δῆμῳνος ἐμαρτύρησας, ἂν<sup>l</sup> ἀπομόσης τάναντία τούτων κατὰ<sup>l</sup> τῆς θυγατρὸς, ἀφίημί σοι πάνθ' ὑπὲρ ὧν ἂν ἐξαιτήσας φανῆς τὸ πρῶτον βασανιζομένου τοῦ παιδός, καὶ τοσοῦτῳ σοι γενέσθω τὸ τίμημα ἔλαττον ὧν ὥφλες, καθ' ἃ<sup>m</sup> τὸν Μιλύαν ἐξήτησας,
- 15 ἵνα μηδὲν ζημιωθῆς παρὰ τοὺς μάρτυρας.” ταῦτ' ἐμοῦ προκαλεσαμένου πολλῶν παρόντων οὐκ ἂν ἔφη ποιῆσαι. καίτοι ὅστις αὐτὸς αὐτῷ ταῦτ' ἔφυγε δικάσαι, πῶς ὑμᾶς χρή τοὺς ὁμωμοκότας τούτῳ πειθομένους καταγνῶναι τῶν μαρτύρων, ἀλλ' οὐ 20 τοῦτον<sup>n</sup> ἀναισχυντότατον πάντων ἀνθρώπων εἶναι νομίζειν; ἀλλὰ μὴν ὡς ἀληθῆ λέγω, κάλει τούτων τοὺς μάρτυρας.

### MARTYRES.

- Οὐ<sup>3</sup> τοίνυν ἐγὼ μὲν ταῦθ' ἔτοιμος ἦν, οἱ δὲ 25 μάρτυρες οὐ τὴν αὐτὴν γνώμην<sup>o</sup> ἐμοὶ εἶχον· ἀλλὰ κάκεινοι παραστησάμενοι τοὺς παῖδας, ὑπὲρ ὧν ἐμαρτύρησαν, πίστιν ἐπιθεῖναι ἠθέλησαν κατ' ἐκείνων. ὁ δ' οὐτ'<sup>p</sup> αὐτοῖς οὐτ' ἐκείνοις οὐτ' ἐμοὶ δοῦναι τὸν ὅρκον ἤξιωσεν, ἀλλ' ἐπὶ λόγοις μεμηχανῇ

<sup>h</sup> ἐξελέγξει, Reiske, Bekker.

<sup>k</sup> ψευδόμενος, Reiske.

<sup>m</sup> ὃ, Reiske.

<sup>o</sup> ἐμοὶ γνώμην, Reiske.

<sup>i</sup> εἰδὸτα, Reiske.

<sup>l</sup> δ' ἐμοῦ, Bekker.

<sup>n</sup> τοῦτον τὸν, Reiske.

<sup>p</sup> [οὐτ' αὐτοῖς], Reiske.

μένοις καὶ μάρτυσιν οὐ τάληθῇ μαρτυρεῖν εἰθισμένοις τὸ πρᾶγμα καταστήσας ἐλπίζει ῥαδίως ὑμᾶς ἐξαπατήσειν. λαβὲ οὖν αὐτοῖς καὶ ταύτην τὴν μαρτυρίαν.

5

## ΜΑΡΤΥΡΙΑ.

Πῶς<sup>3</sup> οὖν ἂν τις σαφέστερον ἐξελέγξειε συκοφαντουμένους ἡμᾶς καὶ καταμεμαρτυρημένον τάληθῇ καὶ τὴν δίκην δικαίως ὠφλημένην, ἣ τοῦτον τὸν τρόπον ἐπιδεικνὺς οἰκέτην τὸν τὴν μαρτυρίαν γρά-  
 10 φοντ' οὐκ ἐβελήσαντα τοῦτον βασανίζειν περὶ 86  
 αὐτῶν τῶν μεμαρτυρημένων, Αἴσιον τὸν ἀδελφὸν αὐτοῦ ταῦτα μεμαρτυρηκότα ἃ φησιν εἶναι ψευδῇ, τοῦτον αὐτὸν ταῦτ' αἰς τοῖς μάρτυσιν οὓς διώκει μεμαρτυρηκότα μοι κατὰ Δήμωνος<sup>1</sup> ὄντος αὐτῷ θείου  
 15 καὶ συνεπιτρόπου, τὰς θεραπαίνας οὐκ ἐβελήσανθ' ὑπὲρ τοῦ τὸν ἄνθρωπον ἐλεύθερον εἶναι βασανίζειν, τὴν μητέρα τὴν ἑμαντοῦ πίστιν περὶ τούτων ἐπιθεῖναι καθ' ἡμῶν ἐθέλουσαν, τῶν ἄλλων οἰκετῶν οὐκ ἐθέλοντα τοῦτον παραλαμβάνειν οὐδένα τῶν  
 20 πάντ' εἰδότων μᾶλλον ἢ Μιλύας, τῶν μαρτύρων οἱ κατεμαρτύρουν χρήματ' ἔχειν αὐτὸν οὐδενὶ τῶν ψευδομαρτυριῶν ἐπεσκημμένον, τὴν διαθήκην οὐκ ἀποδόντα<sup>2</sup> οὐδὲ τὸν οἶκον μισθώσαντα τῶν νόμων κελεύοντων, πίστιν<sup>3</sup> ἐπιθεῖναι προομνύντος ἐμοῦ καὶ  
 25 τῶν μαρτύρων, ὥστ' ἀφείσθαι τοῦτον τῶν χρημάτων καθ' ἃ τὸν Μιλύαν ἐξήτησεν, οὐκ οἰηθέντα δεῖν; μὰ τοὺς θεοὺς, ἐγὼ μὲν οὐκ ἂν ἔχοιμι ἐπιδειξαι ταῦτ'<sup>1</sup> ἀκριβέστερον ἢ τοῦτον τὸν τρόπον. οὕτω τοίνυν φανερώς τῶν<sup>2</sup> μαρτύρων καταψευδόμε-  
 30 νος καὶ ἐκ τῶν πραγμάτων οὐδέν<sup>3</sup> ζημιούμενος καὶ τὴν δίκην δικαίως ὠφληκῶς ὅμως ἀναισχυνητεῖ καὶ<sup>3</sup>

<sup>1</sup> ἀποδιδόντα, Reiske.<sup>2</sup> τῶν τε, Reiske.<sup>1</sup> τοῦτ', Reiske.<sup>2</sup> μηδὲν, Reiske.

- εἰ μὲν μὴ καὶ παρὰ τοῖς αὐτοῦ φίλοις καὶ παρὰ  
 τῷ διαιτητῇ προσγνωσμένος ἀδικεῖν τούτους ἐποί-  
 εῖτο τοὺς λόγους, ἦττον ἂν ἦν ἄξιον θαυμάζειν·  
 νῦν<sup>4</sup> δ' ἐπιτρέψαι με πείσας Ἀρχενέω καὶ Δρακον-  
 5 τίδῃ καὶ Φάνῳ τούτῳ τῷ νῦν ὑπ' αὐτοῦ φεύγοντι  
 τῶν ψευδομαρτυριῶν, τούτους μὲν ἀφήκεν<sup>5</sup> ἀκούσας  
 αὐτῶν ὅτι, εἰ μεθ' ὅρκου ταῦτα διαιτήσουσι, κατα-  
 γνωσονται τὴν ἐπιτροπὴν, ἐπὶ τὸν<sup>1</sup> κληρωτὸν δὲ 862  
 διαιτητὴν ἐλθὼν καὶ οὐδὲν ἔχων ἀπολύσασθαι τῶν  
 10 ἐγκεκλημένων ὥφλε τὴν δίαίταν. οἱ δικασταὶ δ'  
 ἀκούσαντες, εἰς οὓς ἐφήκε<sup>2</sup>, ταῦτά καὶ τοῖς τού-  
 του φίλοις καὶ τῷ διαιτητῇ περὶ αὐτῶν ἔγνωσαν  
 καὶ δέκα ταλάντων ἐτίμησαν, οὐ μὰ Δί' οὐχ ὅτι  
 τὸν Μιλύαν ὠμολόγησεν εἶναι ἐλεύθερον, τοῦτο μὲν  
 15 γὰρ οὐδὲν ἦν, ἀλλ' ὅτι πεντεκαίδεκα ταλάντων  
 οὐσίας μοι καταλειφθείσης τὸν μὲν οἶκον οὐκ ἐμί-  
 σθωσε, δέκα δ' ἔτη μετὰ τῶν συνεπιτρόπων δια-  
 χειρίσας πρὸς<sup>3</sup> μὲν τὴν συμμορίαν ὑπὲρ παιδὸς  
 ὄντος ἐμοῦ πέντε μνᾶς συνετάξατ' εἰσφέρειν, ὅσον-  
 20 περ Τιμόθεος ὁ Κόνωνος καὶ οἱ τὰ μέγιστα κεκ-  
 τημένοι τιμήματα εἰσέφερον, χρόνον δὲ τοσοῦτον  
 τὰ χρήματα ταῦτα ἐπιτροπεύσας, ὑπὲρ ὧν τηλι-  
 καύτην αὐτὸς εἰσφορὰν ἡξίον εἰσφέρειν, ἐμοὶ μὲν  
 τὸ<sup>4</sup> καθ' αὐτὸν οὐδ' εἴκοσι μνῶν ἄξια παρέδωκε,  
 25 μετὰ δ' ἐκείνων ὅλα τὰ κεφάλαια καὶ τὰς ἐπικαρ-  
 πίας ἀπεστέρησεν. θέντες οὖν οἱ δικασταὶ τοῖς  
 πᾶσι χρήμασιν οὐκ ἐφ' ὅσῳ μισθοῦσι<sup>5</sup> τοὺς οἴκους  
 τόκον, ἀλλ' ὅς ἦν ἐλάχιστος, εὗρον τὸ σύμπαν πλεόν  
 ἢ τριάκοντα τάλαντα αὐτοὺς ἀποστεροῦντας· διό  
 30 τούτῳ τῶν δέκα ταλάντων ἐτίμησαν.

## ΠΡΟΣ ΟΝΗΤΟΡΑ ΕΞΟΥΛΗΣ Α.

### ΥΠΟΘΕΣΙΣ.

ἌΦΟΒΟΣ, μέλλοντος αὐτῷ Δημοσθένους τὰς τῆς 86ῃ ἐπιτροπῆς δίκας λαγχάνειν, ἔγημεν Ὀνήτορος ἀδελφὴν ἐκδοθεῖσαν αὐτῷ ὑπὸ Τιμοκράτους τοῦ προτέρου ἀνδρὸς, ἐπειδὴ ἐκεῖνος ἐπὶ κληρὸν λαμβάνειν ἤμελλε. μετὰ δὲ ταῦτα Ὀνήτωρ, ἤδη φεύγοντος Ἀφόβου τὴν τῆς ἐπιτροπῆς δίκην, ὡς ὁ ρήτωρ ἀποδείκνυσιν, πλασάμενος ἀπόλειψιν<sup>1</sup> τὴν ἀδελφὴν παρ' αὐτὸν ἀπήγαγεν. ἐπεὶ δὲ Ἄφοβος εἶλω, ἐπὶ τὴν 10 οὐσίαν αὐτοῦ τὸν ρήτορα ἀφικνούμενον καὶ εἰς τὰ<sup>2</sup> χωρία εἰσιόντα ἐξήλασεν Ὀνήτωρ, φάσκων τῆς ἀδελφῆς εἶναι τὰ χωρία, εἰς τὴν προῖκα ἀποτιμηθέντα. διόπερ ἐξούλης<sup>3</sup> αὐτῷ δικάζεται ὁ Δημοσθένης ὡς ἐκ τῶν Ἀφόβου πρότερον, νῦν δὲ 15 ἑαυτῷ γεγεννημένων ἐξεληλαμένος, φάσκων οὐκ εἰληφέναι τὴν προῖκα Ἄφοβον, ἀλλὰ τὴν γυναῖκα μόνον· τὴν γὰρ προῖκα μὴ βουληθῆναι Ὀνήτορα δοῦναι<sup>4</sup>, διότι κινδυνεύοντα τὸν Ἄφοβον εὔρα καὶ τὴν οὐσίαν αὐτοῦ. νῦν οὖν, φησὶ, πλαστή μὲν ἡ 20 ἀπόλειψις, ὑπὲρ δὲ ὧν οὐκ εἴληφεν Ἄφοβος, τὸ χωρίον ἀποτετίμηται ἐπ' ἀποστερήσει τῶν ἐμῶν. τὸ δὲ τῆς ἐξούλης ὄνομα Ἀττικόν<sup>5</sup> ἐξέλλειν γὰρ ἔλεγον τὸ ἐξωθεῖν καὶ ἐκβάλλειν βία.

Περὶ<sup>1</sup> πολλοῦ ποιούμενος, ὃ ἄνδρες δικασταί, 864  
25 μήτε πρὸς Ἀφοβὸν μοι συμβῆναι τὴν γενομένην  
διαφορὰν μήτε τὴν νῦν οὖσαν πρὸς Ὀνήτορα του-

<sup>1</sup> Reiske omits δοῦναι,

- τονί, κηδεστήν<sup>2</sup> ὄντα αὐτοῦ, πολλὰ καὶ δίκαια προκαλεσάμενος ἀμφοτέροισι οὐδενὸς ἡδυνήθη. τυχεῖν τῶν μετριῶν, ἀλλ' εὖρηκα πολὺ τοῦτον ἐκείνου δυσκολώτερον καὶ μᾶλλον ἄξιον ὄντα<sup>b</sup> δοῦναι δίκην.
- 5 τὸν<sup>3</sup> μὲν γὰρ οἰόμενος δεῖν ἐν τοῖς φίλοις διαδικάσασθαι τὰ πρὸς ἐμέ καὶ μὴ λαβεῖν ὑμῶν πείραν οὐχ οἷός τ' ἐγενόμην πείσαι· τοῦτον δ' αὐτὸν αὐτῷ κελεύων γενέσθαι δικαστήν, ἵνα μὴ παρ' ὑμῖν κινδυνεύσῃ, τοσοῦτον κατεφρονήθη ὥστ' οὐχὶ μόνον
- 10 λόγου τυχεῖν οὐκ ἤξιώθη, ἀλλὰ καὶ ἐκ τῆς γῆς, ἣν Ἄφοβος ἐκέκτητο ὅτε ὠφλίσκανέ μοι τὴν δίκην, ὑβριστικῶς ὑπ' αὐτοῦ πάννυ ἐξεβλήθη. ἐπειδὴ οὖν συναποστερεῖ τέ με τῶν ὄντων τῷ αὐτοῦ κηδεστῇ, πιστεύων τ' εἰς ὑμᾶς εἰσελήλυθε ταῖς ἐαυτοῦ
- 15 παρασκευαῖς<sup>4</sup>, ὑπόλοιπόν ἐστιν ἐν ὑμῖν πειραῖσθαι παρ' αὐτοῦ τῶν δικαίων τυγχάνειν. οἶδα μὲν οὖν, ὦ ἄνδρες δικασταί, ὅτι μοι πρὸς παρασκευὰς λόγων καὶ μάρτυρας οὐ τάληθ' μαρτυρήσοντας ὁ ἀγὼν ἐστίν· ὅμως μέντοι τοσοῦτον<sup>5</sup> οἶμαι διοίσειν τῇ
- 20 δικαιότερα τούτου λέγειν ὥστ' εἰ καὶ τις ὑμῶν πρότερον τοῦτον ἡγεῖτο εἶναι μὴ πονηρὸν, ἔκ γε τῶν πρὸς ἐμέ πεπραγμένων γνώσεσθ'<sup>c</sup> ὅτι καὶ τὸν παρε- 865 ληλυθότα χρόνον ἐλάνθανεν αὐτὸν κάκιστος ὢν καὶ ἀδικοτάτος ἀπάντων. ἀποδείξω γὰρ αὐτὸν οὐ μόνον
- 25 τὴν προῖκ' οὐ δεδοκότα, ἧς φησὶ νῦν ἀποτετιμῆσθαι<sup>1d</sup> τὸ χωρίον, ἀλλὰ καὶ ἐξ ἀρχῆς τοῖς ἐμοῖς ἐπιβουλεύσαντα, καὶ πρὸς τούτοις τὴν μὲν γυναῖκ' οὐκ ἀπολελοιπυῖαν, ὑπὲρ ἧς ἐξήγαγέ με ἐκ ταύτης τῆς γῆς, προϊστάμενον δ' ἐπ' ἀποστερήσει τῶν ἐμῶν
- 30 Ἄφобου καὶ τούτους ὑπομένοντα τοὺς ἀγῶνας, οὕτω μεγάλοις τεκμηρίοις καὶ φανεροῖς ἐλέγχοις ὥστ' ὑμᾶς ἅπαντας<sup>e</sup> εἰσεσθαι σαφῶς ὅτι δικαίως καὶ προσ-

<sup>b</sup> Reiske omits ὄντα.<sup>c</sup> γνώσεται, Reiske.<sup>d</sup> ἀποτιμῆσθαι, Reiske.<sup>e</sup> πάντας, Reiske.

ηκόντως οὗτος φεύγει<sup>2</sup> ταύτην ὑπ' ἐμοῦ τὴν δίκην.  
 ὅθεν δὲ ῥᾶστα μαθήσεσθε περὶ αὐτῶν, ἐντεῦθεν  
 ὑμᾶς καὶ ἐγὼ πρῶτον πειράσομαι διδάσκειν.

Ἐγὼ<sup>3</sup> γάρ, ὧ ἄνδρες δικασταί, πολλοὺς τε  
 5 ἄλλους Ἀθηναίων καὶ τοῦτον οὐκ ἐλάνθανον κακῶς  
 ἐπιτροπευόμενος, ἀλλ' ἦν καταφανὴς εὐθὺς ἀδικού-  
 μενος· τοσαῦται<sup>4</sup> πραγματεῖαι καὶ λόγοι παρά<sup>1</sup> τε  
 τῷ ἄρχοντι καὶ παρὰ τοῖς ἄλλοις ἐγίγνοντο ὑπὲρ  
 τῶν ἐμῶν. τό τε γὰρ πλῆθος τῶν καταλειφθέντων  
 10 ἦν φανερόν, ὅτι τ' ἀμίσθωτον τὸν οἶκον ἐποίουν οἱ  
 διαχειρίζοντες, ἵν' αὐτοὶ τὰ χρήματα καρποῖντο,  
 οὐκ ἄδηλον ἦν. ὥστ' ἐκ τῶν γιγνομένων οὐκ ἔσθ'  
 ὅστις οὐχ ἠγεῖτο τῶν εἰδότεων δίκην με λήψεσθαι  
 παρ' αὐτῶν, ἐπειδὴν τάχιστα ἀνὴρ εἶναι δοκimas-  
 15 θεῖν. ἐν οἷς καὶ Τιμοκράτης<sup>5</sup> καὶ Ὀνήτωρ ταύτην  
 ἔχοντες διετέλεσαν τὴν διάνοιαν. τεκμήριον δὲ πάν-  
 των μέγιστον· οὗτος γὰρ ἠβουλήθη μὲν Ἀφόβῳ  
 δοῦναι τὴν ἀδελφὴν, ὁρῶν τῆς τε αὐτοῦ πατρῴας  
 οὐσίας καὶ τῆς ἐμῆς οὐκ ὀλίγης αὐτὸν κύριον γεγε-  
 20 νημένον, προέσθαι δὲ τὴν προῖκ' οὐκ ἐπίστευσεν, 86  
 ὥσπερ<sup>1</sup> εἰ τὰ τῶν ἐπιτροπευόντων χρήματα ἀπο-  
 τίμημα τοῖς ἐπιτροπευομένοις καθεστάναι νομίζων.  
 ἀλλὰ τὴν μὲν ἀδελφὴν ἔδωκε, τὴν δὲ προῖκ' αὐτῷ  
 Τιμοκράτης ἐπὶ πέντ' ὀβολοῖς ὀφειλῆσειν ὡμολό-  
 25 γησεν, ᾧ πρότερον ἢ γυνὴ συνοικῶσα ἐτύγχανεν.  
 ὀφλόντος δέ μοι τὴν δίκην Ἀφόβου τῆς ἐπιτροπῆς  
 καὶ οὐδὲν δίκαιον ποιεῖν ἐθέλοντος, διαλύειν<sup>2</sup> μὲν  
 ἡμᾶς Ὀνήτωρ οὐδ' ἐπεχείρησεν, οὐκ ἀποδεδωκώς  
 δὲ τὴν προῖκα, ἀλλ' αὐτὸς κύριος ὢν, ὡς ἀπολε-  
 30 λοιπνίας τῆς ἀδελφῆς καὶ δούς, κομίσασθαι δ' οὐ  
 δυνάμενος, ἀποτιμήσασθαι φάσκων τὴν γῆν ἐξάγειν  
 μ' ἐξ αὐτῆς ἐτόλμησεν· τοσοῦτον καὶ ἐμοῦ καὶ ὑμῶν

<sup>1</sup> καὶ παρὰ, Reiske.

καὶ τῶν κειμένων νόμων κατεφρόνησεν. καὶ τὰ μὲν  
γενόμενα, καὶ<sup>ε</sup> δι' ἃ φεύγει τὴν δίκην καὶ περὶ ὧν  
οἴσεται τὴν ψῆφον, ταῦτ' ἐστὶν, ὧ ἄνδρες δικασταί·  
παρέξομαι δὲ μάρτυρας<sup>h</sup> πρῶτον μὲν αὐτὸν Τιμο-  
5 κράτην, ὡς ὠμολόγησεν ὀφειλήσειν τὴν προῖκα καὶ  
τὸν τόκον ἀπεδίδον τῆς προικὸς Ἀφόβῳ κατὰ τὰς  
ὁμολογίας, ἔπειθ' ὡς αὐτὸς Ἀφοβὸς ὠμολόγει κο-  
μίζεσθαι τὸν τόκον παρὰ Τιμοκράτους. καὶ μοι  
λαβὲ τὰς μαρτυρίας.

10

## ΜΑΡΤΥΡΙΑΙ.

Ἐξ<sup>ε</sup> ἀρχῆς μὲν τοίνυν ὁμολογεῖται μὴ δοθῆναι  
τὴν προῖκα μηδὲ γενέσθαι κύριον αὐτῆς Ἀφοβόν.  
δηλον δὲ καὶ ἐκ τῶν εἰκότων ὅτι τούτων ἔνεχ' ὧν  
εἴρηκα ὀφείλειν εἰλοντο μᾶλλον ἢ καταμίξαι τὴν  
15 προῖκα εἰς τὴν οὐσίαν τὴν Ἀφόβου τὴν οὕτω κιν-  
δυνευθῆσεσθαι<sup>i</sup> μέλλουσιν. οὔτε γὰρ δι' ἀπορίαν  
οἶόν τ' εἰπεῖν ὡς οὐκ εὐθὺς ἀπέδωσαν· Τιμοκράτει τε  
γάρ ἐστιν οὐσία πλέον ἢ δέκα ταλάντων, Ὀνήτορι 867  
τε πλέον ἢ τριάκοντα, ὥστ' οὐκ ἂν διὰ τοῦτό γ'  
20 εἶεν οὐκ εὐθὺς δεδωκότες· οὔτε κτήματα μὲν ἦν  
αὐτοῖς, ἀργύριον δ' οὐκ ἔτυχε παρὸν, ἢ γυνὴ δ'  
ἐχέρεινε, διὸ πράξαι ταῦτ' ἠπείχθησαν οὐχ ἅμα τὴν  
προῖκα διδόντες. ἀργύριόν τε γὰρ οὗτοι δανείζουσιν  
ἄλλοις οὐκ ὀλίγον, συνοικοῦσάμ τε ταύτην, ἀλλ' οὐ  
25 χηρένουσαν παρὰ Τιμοκράτους ἐξέδωσαν, ὥστ' οὐδ'  
ἂν ταύτην τὴν σκῆψιν εἰκότως αὐτῶν τις ἀπο-  
δέξαιτο· καὶ<sup>k</sup> μὲν δὴ, ὧ ἄνδρες δικασταί, κάκεινο  
ἂν<sup>l</sup> πάντες ὁμολογήσατε, ὅτι τοιοῦτο πρᾶγμα συν-  
αλλάττων ὅστισιν εἴλοιτ' ἂν ἐτέρῳ μᾶλλον ὀφεί-

<sup>ε</sup> Reiske omits καί.<sup>h</sup> μάρτυρα, Reiske.<sup>i</sup> διακινδυνευθῆσεσθαι, Reiske.<sup>k</sup> καὶ μὴν ὧ, Reiske.<sup>l</sup> πάντες ἂν, Reiske.

λειν ἢ κηδεστῇ τὴν προῖκα<sup>™</sup> μὴ ἀποδοῦναι. μὴ δια-  
 λυσάμενος μὲν γὰρ γίγνεται χρήστης ἄδηλος· εἴτ'  
 ἀποδώσει δικαίως εἴτε μὴ, μετὰ δὲ τῆς γυναικὸς  
 τάκεινης ἀποδοὺς οἰκεῖος καὶ κηδεστής· ἐν οὐδεμῇ  
 5 γὰρ ἐστὶν ὑποψία τὰ δίκαια πάντα ποιήσας. ὥσθ'  
 οὕτω τοῦ πράγματος ἔχοντος, καὶ τούτων οὐδὲ  
 καθ' ἐν ᾧν εἶπον ὀφείλιν ἀναγκασθέντων, οὐδὲ  
 βουλευθέντων ἂν, οὐκ ἔστ' εἰπεῖν ἄλλην πρόφασιν  
 δι' ἣν οὐκ ἀπέδοσαν, ἀλλ' ἀνάγκη ταύτην<sup>1</sup> εἶναι  
 10 τὴν αἰτίαν, δι' ἣν δοῦναι τὴν προῖκ' οὐκ ἐπίσ-  
 τευσαν.

Ἐγὼ<sup>2</sup> τοίνυν ὁμολογουμένως οὕτω ταῦτ' ἐξελέ-  
 γχω<sup>3</sup>, ὡς οὐδ' ὕστερον ἀπέδοσαν οἶομαι ῥαδίως ἐπι-  
 δεῖξιν ἐξ αὐτῶν τῶν πεπραγμένων, ὥσθ' ὑμῖν γε-  
 15 νέσθαι φανερόν ὅτι, εἰ<sup>ο</sup> μὴ<sup>3</sup> καὶ ἐπὶ τούτοις, ἀλλ' ἐπὶ  
 τῷ διὰ ταχέων ἀποδοῦναι τἀργύριον εἶχον, οὐκ ἂν  
 ποτ' ἀπέδοσαν οὐδ' ἂν προεῖντο<sup>ρ</sup> τοιαύτας ἀνάγκας  
 εἶχεν αὐτοῖς τὸ πρᾶγμα. δύο μὲν γάρ ἐστιν ἔτη τὰ  
 μεταξὺ τοῦ συνοικῆσαί τε τὴν γυναῖκα καὶ φῆσαι  
 20 τοῦτους πεποιῆσθαι τὴν ἀπόλειψιν· ἐγγήματο<sup>1</sup> μὲν 86  
 γὰρ ἐπὶ Πολυζήλου ἄρχοντος σκιροφοριῶνος μηνὸς,  
 ἢ δ' ἀπόλειψις ἐγράφη ποσειδεῶνος μηνὸς ἐπὶ Τι-  
 μοκράτους· ἐγὼ δ' εὐθύς μετὰ τοὺς γάμους δοκιμα-  
 σθεῖς ἐνεκάλουν<sup>2</sup> καὶ λόγον ἀπήτουν καὶ πάντων  
 25 ἀποστερούμενος τὰς δίκας ἐλάγχανον ἐπὶ τοῦ αὐτοῦ  
 ἄρχοντος. ὁ<sup>3</sup> δὲ χρόνος οὗτος ὀφειλῆσαι μὲν ἐνδέ-  
 χεται κατὰ τὰς ὁμολογίας, ἀποδοῦναι δ' οὐκ ἔχει  
 πίστιν. ὅς γὰρ διὰ ταῦτ' ἐξ ἀρχῆς ὀφείλιν εἴλετο  
 καὶ<sup>τ</sup> τόκον φέρειν, ἵνα μὴ κινδυνεύοι ἢ προϊξ μετὰ  
 30 τῆς ἄλλης οὐσίας, πῶς οὗτος ἂν ἀπέδωκεν ἤδη τὴν

<sup>™</sup> προῖκα, μηδὲ, Reiske.

<sup>3</sup> ἐλέγχων, Reiske.

<sup>ο</sup> καὶ εἰ μὴ ἐπὶ τούτοις, Reiske, Bekker.

<sup>ρ</sup> προεῖντο, Reiske.

<sup>1</sup> δὲ, Reiske.

<sup>τ</sup> καὶ τὸν, Reiske.

δίκην φεύγοντος; ὅς εἰ καὶ τότε ἐπίστευσε, τῆνικαὐτ' ἂν ἀπολαβεῖν ἐζήτησεν, οὐκ ἔνεστι δῆπουθεν, ὧ ἄνδρες δικασταί. ἀλλὰ μὴν ὡς ἐγγήματο μὲν ἡ γυνὴ καθ' ὃν ἐγὼ λέγω χρόνον, ἀντίδικοι δ' ἡμεῖς  
 5 ἤδη πρὸς ἀλλήλους ἐν τῷ μεταξύ χρόνῳ κατέστημεν, ὕστερον δ' ἡ ἐγὼ τὴν δίκην ἔλαχον τὴν ἀπόλειψιν οὗτοι πρὸς τὸν ἄρχοντ' ἀπεγράψαντο, λαβέμοι καθ' ἕκαστον ταύτας τὰς μαρτυρίας.

### ΜΑΡΤΥΡΙΑΙ.

10 Μετὰ τοίνυν τοῦτον τὸν ἄρχοντα Κηφισόδωρος, Χίων. ἐπὶ τούτων ἐνεκάλουν δοκιμασθεῖς, ἔλαχον δὲ τὴν δίκην ἐπὶ Τιμοκράτους. λαβέ μοι ταύτην τὴν μαρτυρίαν.

### ΜΑΡΤΥΡΙΑ.

15 Ἀνάγνωθι δὲ καὶ ταύτην τὴν μαρτυρίαν.

### ΜΑΡΤΥΡΙΑ.

Δῆλον<sup>4</sup> μὲν τοίνυν καὶ ἐκ τῶν μεμαρτυρημένων ὅτι τὴν προῖκ' οὐ δόντες, ἀλλ' ἐπὶ τῷ διασώζειν Ἀφόβῳ τὴν οὐσίαν ταῦτα τολμῶσι πράττειν. οἱ  
 20 γὰρ ἐν τοσούτῳ χρόνῳ καὶ ὀφειλῆσαι καὶ ἀποδοῦναι καὶ οὐ κομίσασθαι καὶ τὴν γυναικ' ἀπολιπεῖν καὶ 869 τὸ χωρίον ἀποτιμήσασθαι φασί, πῶς οὐ φανερόν ὅτι προστάντες τοῦ πράγματος τὰ γνωσθένθ' ὑφ' ὑμῶν ἀποστερησαί με ζητοῦσιν; ὡς δὲ καὶ ἐξ ὧν αὐτὸς  
 25 οὗτος καὶ Τιμοκράτης καὶ Ἀφοβος ἀπεκρίναντο, οὐχ οἷον τ' ἀποδεδοῖσθαι τὴν προῖκα, ταυτ' ἤδη πειράσσομαι διδάσκειν ὑμᾶς. ἐγὼ γάρ, ὧ ἄνδρες δικασταί, τούτων ἕκαστον ἡρόμην πολλῶν ἐναντίον μαρτύρων, Ὀνήτορα μὲν καὶ Τιμοκράτην, εἰ<sup>5</sup> τινες εἶεν μάρ-

<sup>4</sup> οἷτινες, Reiske, both here and immediately below.

τυρες ὧν ἐναντίον τὴν προικ' ἀπέδωσαν, αὐτὸν δ'  
 Ἐφοβον, εἴ τινες παρήσαν ὅτ' ἀπελάμβανεν. καί  
 μοι πάντες ἀπεκρίναντο καθ' ἕκαστον ὅτι οὐδεὶς  
 μάρτυς παρείη, κομίζοιτο<sup>1</sup> δὲ λαμβάνων καθ' ὅπο-  
 5 σοῦν δέοιτ' Ἐφοβος παρ' αὐτῶν. καίτοι τῷ τοῦτο  
 ὑμῶν πιστόν, ὡς ταλάντου τῆς προικὸς οὔσης ἄνευ  
 μαρτύρων Ὀνήτωρ καὶ Τιμοκράτης Ἀφόβῳ τοσοῦ-  
 τον ἀργύριον ἐνεχείρισαν; ᾧ μὴ ὅτι τοῦτον τὸν τρό-  
 πον, ἀλλ' οὐδὲ μετὰ πολλῶν μαρτύρων ἀποδίδους  
 10 εἰκῇ τις ἂν ἐπίστευσεν, ἵν' εἴ τις γίγνοιτο<sup>2</sup> διαφορὰ,  
 κομίσασθαι ῥαδίως παρ' ὑμῖν δύνηται. μὴ γὰρ ὅτι  
 πρὸς τοῦτον τοιοῦτον ὄντα, ἀλλ' οὐδὲ πρὸς ἄλλον  
 οὐδ' ἂν εἰς οὐδένα τοιοῦτο συνάλλαγμα ποιούμενος  
 ἀμαρτύρως ἂν ἔπραξεν· ἀλλὰ τῶν τοιούτων ἕνεκα  
 15 καὶ γάμους<sup>3</sup> ποιοῦμεν καὶ τοὺς ἀναγκαιοτάτους πα-  
 ρακαλοῦμεν, ὅτι οὐ πάρεργον, ἀλλ' ἀδελφῶν<sup>4</sup> καὶ  
 θνηγατέρων βίους ἐγχειρίζομεν, ὑπὲρ ὧν τὰς ἀσφα-  
 λείας μάλιστα σκοποῦμεν. εἰκὸς τοίνυν καὶ τοῦτον,  
 ὧν περ ἐναντίον ὀφείλειν ὡμολόγησε καὶ τὸν τόκον  
 20 οἴσειν, τῶν αὐτῶν τούτων παρόντων διαλύσασθαι<sup>5</sup>  
 πρὸς Ἐφοβον, εἴπερ ὡς ἀληθῶς ἀπεδίδου τὴν προικ' 8;  
 αὐτῷ. τοῦτον μὲν γὰρ τὸν τρόπον πράξας ὅλου  
 τοῦ πράγματος ἀπηλλάττετο<sup>1</sup>, μόνος<sup>2</sup> μόνῳ δ' ἀπο-  
 δίδους τοὺς ἐπὶ ταῖς ὁμολογίαις παραγενομένους ὡς  
 25 κατ' ὀφείλοντος ἂν αὐτοῦ μάρτυρας ὑπελείπετο. νῦν  
 τοίνυν τοὺς μὲν ὄντας οἰκείους καὶ βελτίους αὐτῶν  
 οὐκ ἠδύναντο πείσαι τὴν προικ' ἀποδεδωκέναι σφῶς  
 μαρτυρεῖν, ἑτέρους δ' εἰ παρέχοντο μάρτυρας μηδὲν  
 γένει προσήκοντας, οὐκ ἂν ἡγοῦνθ' ὑμᾶς αὐτοῖς  
 30 πιστεῦειν. ἔτι<sup>3</sup> δ' ἀθρόαν μὲν φάσκοντες δεδωκέναι  
 τὴν προικ' ἤδεσαν ὅτι τοὺς ἀπενεγκόντας οἰκέτας  
 ἐξαιτήσομεν, οὓς μὴ γεγενημένης τῆς δόσεως παρα-

δοῦναι μὴ θέλοντες ἡλέγχοντ' ἄν· εἰ δ' αὐτοὶ μόνοι  
μόνῃ τούτῳ τὸν τρόπον δεδωκέναι λέγοιεν, ἐνόμιζον  
οὐκ ἐλεγχθήσεσθαι διὰ τοῦτο τούτῳ εἴλοντο ἐξ  
ἀνάγκης ψεύδεσθαι τὸν τρόπον. τοιαύταις τέχναις  
5 καὶ πανουργίαις, ὥς ἀπλοῖ<sup>4</sup> τινὲς εἶναι δόξοντες<sup>5</sup>,  
ἡγοῦνται ῥαδίως ὑμᾶς ἐξαπατήσειν, ἀπλῶς<sup>6</sup> οὐδ' ἂν  
μικρὸν ὑπὲρ τῶν διαφερόντων, ἀλλ' ὥς οἶόν τε ἀκρι-  
βέστατα πράξαντες. λαβὲ τὰς μαρτυρίας αὐτοῖς<sup>6</sup>  
ὧν ἐναντίον ἀπεκρίναντο, καὶ ἀνάγκῃ.

10

## ΜΑΡΤΥΡΙΑΙ.

Φέρε<sup>7</sup> δὴ, ὦ ἄνδρες δικασταί, καὶ τὴν γυναῖκα  
ὑμῖν ἀποδείξω λόγῳ μὲν ἀπολελοιπυῖαν, ἔργῳ δὲ  
συννοικοῦσαν Ἀφόβῳ· νομίζω γάρ, ἂν τοῦτ' ἀκριβῶς  
μᾶθῃτε, μᾶλλον ὑμᾶς τούτοις μὲν διαπιστήσῃ<sup>8</sup>,  
15 ἐμοὶ δ' ἀδικουμένῳ τὰ δίκαια βοηθήσῃν. μάρτυρας  
δὲ τῶν μὲν ὑμῖν παρέξομαι, τῶν δ' ἐπιδείξω μεγάλα  
τεκμήρια καὶ πίστεις ἱκανάς. ἐγὼ γάρ, ὦ ἄνδρες 871  
δικασταί, μετὰ τὸ γεγράφθαι παρὰ τῷ ἄρχοντι  
ταύτην τὴν γυναῖκ' ἀπολελοιπυῖαν καὶ τὸ φάσκειν  
20 Ὀνήτορα ἀντὶ τῆς προικὸς ἀποτετιμῆσθαι τὸ χωρίον  
ὁρῶν Ἀφοβὸν ὁμοίως ἔχοντα καὶ γεωργοῦντα τὴν  
γῆν καὶ τῇ γυναικὶ συννοκοῦντα, σαφῶς<sup>1</sup> ἤδειν ὅτι  
λόγος ταῦτα καὶ παραγωγὴ τοῦ πράγματός ἐστιν.  
βουλόμενος δ' ἐμφανῇ ποιῆσαι ταῦτα πᾶσιν ὑμῖν,  
25 ἐξελέγχειν<sup>2</sup> αὐτὸν ἡξίου ἐναντίον μαρτύρων, εἰ μὴ  
φάσκει ταῦθ' οὕτως ἔχειν, καὶ παρεδίδουν οἰκέτην  
εἰς βάσανον, ὃς συνήδει πάντ' ἀκριβῶς· ὃν ἔλαβον  
κατὰ<sup>3</sup> τὴν ὑπερμερίαν ἐκ τῶν Ἀφόβου. οὗτος δ'  
ἐμοῦ ταῦτ' ἀξιώσαντος περὶ μὲν τοῦ συννοικεῖν  
30 Ἀφόβῳ τὴν ἀδελφὴν ἔφυγε τὴν βάσανον, ὡς δ' οὐκ

<sup>4</sup> δόξαντες, Reiske.<sup>5</sup> ἀπιστήσῃν, Bekker.<sup>2</sup> ἐλέγχειν, Reiske.

ἐκεῖνος ἐγεώργει τὴν γῆν, οὐκ ἠδύνατ' ἀρνηθῆναι  
 διὰ τὴν περιφάνειαν, ἀλλὰ προσωμολόγησεν. οὐ  
 μόνον δ' ἐκ τούτων ἦν ῥάδιον<sup>γ</sup> γινῶναι ὅτι καὶ συνψέ-  
 κει τῇ γυναικὶ καὶ τὸ χωρίον ἐκέκτητο ἔτι πρὶν  
 5 γενέσθαι τὴν δίκην, ἀλλὰ καὶ ἐξ ὧν ὀφλὼν διε-  
 πράξατο περὶ αὐτῶν. ὥς γὰρ οὐκ ἀποτετιμικῶς,  
 ἀλλ' ἐμῶν ἐσομένων κατὰ τὴν δίκην, ἃ μὲν οἶόν τ'  
 ἦν ἐξενεγκεῖν, ὥχεται λαβὼν, τοὺς καρπούς καὶ τὰ  
 σκεύη τὰ γεωργικὰ πάντα πλὴν τῶν πιθακνῶν· ἃ  
 10 δ' οὐχ οἶόν τ' ἦν ἀνελεῖν<sup>δ</sup>, ἐξ ἀνάγκης ὑπέλιπεν,  
 ὥστ' ἐγγενέσθαι τούτῳ νῦν αὐτῆς τῆς γῆς ἀμφισ-  
 βητεῖν. καίτοι δεινὸν τὸν μὲν λέγειν ὥς ἀπετιμῆσατο  
 τὸ χωρίον, τὸν δ' ἀποτετιμικότα φαίνεσθαι γεωρ-  
 γοῦντα, καὶ φάσκειν μὲν ἀπολελοιπέναι τὴν ἀδελ-  
 15 φὴν, ὑπὲρ αὐτῶν δὲ τούτων φανερόν εἶναι φεύγοντα  
 τοὺς ἐλέγχους, καὶ τὸν μὲν οὐ συνοικοῦντα, ὥς οὗτός 87  
 φησι, καὶ τοὺς καρπούς καὶ τὰ ἐκ τῆς γεωργίας  
 ἅπαντ' ἐξενεγκεῖν, τὸν δ' ὑπὲρ τῆς ἀπολελοιπυίας  
 πράττοντα, ὑπὲρ ἧς ἀποτετιμῆσθαι φησι τὸ χωρίον,  
 20 φαίνεσθαι μὴδ' ὑπὲρ ἐνὸς τούτων ἀγανακτοῦντα,  
 ἀλλ' ἡσυχίαν ἔχοντα. ταῦτ' οὐ πολλῇ<sup>α</sup> περιφάνειά  
 ἐστίν; ταῦτ' οὐχ ὁμολογουμένη προστασία; φήσεϊέ  
 γ' ἂν τις, εἰ διαλογίζοιτο ὀρθῶς ἕκαστα αὐτῶν. ὥς  
 τοίνυν ὁμολόγει μὲν ἐκεῖνον γεωργεῖν πρὶν γενέ-  
 25 σθαι τὴν δίκην ἐμοὶ πρὸς αὐτόν, ὑπὲρ δὲ τοῦ μὴ  
 συνοικεῖν τὴν ἀδελφὴν οὐκ ἠθέλησε ποιήσασθαι τὴν  
 βάσανον, ἣ δὲ γεωργία ἐξεσκευάσθη μετὰ τὴν  
 δίκην πλὴν τῶν ἐγγείων<sup>β</sup>, λαβὲ ταύτας τὰς μαρ-  
 τυρίας καὶ ἀνάγνωθι.

<sup>γ</sup> ῥᾶστον, Reiske.<sup>δ</sup> ἀνελεῖν, τὴν γῆν, Reiske.<sup>α</sup> περιφάνεια πολλή, Reiske.

## MARTYRIAΙ.

Ἐμοὶ<sup>2</sup> τοίνυν τοσούτων ὑπαρχόντων τεκμηρίων, οὐχ ἥκιστ' αὐτὸς ἔδειξεν Ὀνήτωρ ὅτι οὐκ ἀληθινὴν ἐποίησατο<sup>3</sup> τὴν ἀπόλειψιν. ὧ γὰρ προσῆκε χαλε-  
 5 πῶς φερεῖν, εἰ τὴν προῖκα δούς, ὥς φησιν, ἀντ' ἀργυρίου χωρίον ἀμφισβητούμενον ἀπελάμβανεν, οὗτος οὐχ ὥς διάφορος οὐδ' ὥς ἀδικούμενος, ἀλλ' ὥς οἰκειότατος πάντων τὴν πρὸς ἐμὲ δίκην αὐτῷ συν-  
 ηγωνίζετο. καμὲ μὲν συναποστερῆσαι μετ' ἐκείνου  
 10 τῶν πατρῶν ἐπεχείρησε, καθ' ὅσον αὐτὸς οἶός τε ἦν, ὑφ' οὗ κακὸν οὐδ' ὀτιοῦν ἦν πεπονθώς· Ἀφόβῳ δ', ὃν ἀλλότριον εἶναι προσῆκε νομίζειν, εἴ τι τούτων ἀληθές ἦν ὧν νῦν λέγουσι, καὶ τὰμὰ πρὸς τοῖς ἐκείνου περιποιεῖν ἐζήτησεν. καὶ οὐ μόνον ἐνταῦθα  
 15 τοῦτ' ἐποίησεν, ἀλλὰ καὶ κατεγνωσμένης ἤδη τῆς δίκης ἀναβάς ἐπὶ τὸ δικαστήριον ἔδειτο ἰκετεύων ὑπὲρ αὐτοῦ καὶ ἀντιβολῶν καὶ δάκρυσι κλαίων τα-  
 λάντου τιμῆσαι<sup>1</sup>, καὶ τούτου αὐτὸς ἐγίγνετ'<sup>2</sup> ἐγ- 873  
 γυνητής. καὶ ταῦθ' ὁμολογούμενα μὲν ἐστὶ πολλα-  
 20 χόθεν· οἳ τε γὰρ ἐν τῷ δικαστηρίῳ τότε δικάζοντες καὶ τῶν ἔξωθεν παρόντων πολλοὶ συνίσασιν· ὅμως δὲ καὶ μάρτυρας ὑμῖν παρέξομαι, καὶ μοι λαβὲ ταύτην τὴν μαρτυρίαν.

## MARTYRIA.

25 Ἔτι<sup>3</sup> τοίνυν, ὦ ἄνδρες δικασταί, καὶ τεκμηρίῳ μεγάλῳ γινῶναι ῥάδιον ὅτι τῇ ἀληθείᾳ συνῴκει καὶ οὐδέπω καὶ τήμερον ἀπολέλοιπεν. αὕτη γὰρ ἡ γυνὴ πρὶν μὲν ὥς Ἀφοβὸν ἐλθεῖν μίαν ἡμέραν οὐκ ἐχῆ-  
 ρευσεν, ἀλλὰ παρὰ ζῶντος Τιμοκράτους ἐκείνῳ συ-  
 30 νώκησε, νῦν δ' ἐν<sup>4</sup> τρισὶν ἔτεσιν ἄλλῃ συνοικουῖσ' οὐδενὶ φαίνεται. καίτοι τῷ<sup>b</sup> πιστὸν, ὥς τότε μὲν,

<sup>b</sup> τῷ τοῦτο, Reiske.

ἵνα μὴ χηρεύσεις, παρ' ἀνδρὸς ὡς ἄνδρα ἐβάδιζε, νῦν δ', εἴπερ ὡς ἀληθῶς ἀπολέλοιπε, τοσοῦτον ἂν χρόνον χηρεύουσ' ἠνείχετο ἐξὸν ἄλλῃ συνοικεῖν, τοῦ τε ἀδελφοῦ κεκτημένου τοσαύτην οὐσίαν, αὐτὴ τε 5 ταύτην<sup>δ</sup> ἔχουσα τὴν ἡλικίαν; οὐκ ἔχει ταῦτ' ἀλήθειαν ὧς ἄνδρες δικασταὶ πιστὴν, ἀλλὰ λόγοι ταῦτ' εἰσὶ, συνοικεῖ δ' ἡ γυνὴ φανερώς, καὶ οὐκ<sup>ε</sup> ἐπικρύπτεται τὸ πρᾶγμα. παρέξομαι δ' ὑμῖν Πασιφῶντος μαρτυρίαν, ὃς ἄρρωστοῦσαν αὐτὴν θερα- 10 πεύων ἑώρα παρακαθήμενον Ἀφορβον ἐπὶ<sup>δ</sup> τούτου τοῦ ἄρχοντος, ἥδη τούτῳ ταυτησί τῆς δίκης εἰληγμένης. καὶ μοι λαβὲ τὴν Πασιφῶντος μαρτυρίαν.

## ΜΑΡΤΥΡΙΑ.

Ἐγὼ<sup>7</sup> τοίνυν εἰδὼς, ὧς ἄνδρες δικασταὶ, καὶ μετὰ 15 τὴν δίκην τούτου εὐθύς ἀποδεδεγμένον τὰ ἐκ τῆς οἰκίας τῆς Ἀφόβου χρήματα, καὶ κύριον τῶν τ' ἐκείνου καὶ τῶν ἐμῶν ἀπάντων γεγενημένον, καὶ 87 συνοικούσαν αὐτῷ τὴν γυναῖκα σαφῶς ἐπιστάμενος, τρεῖς θεραπαίνας ἐξήτησα αὐτόν, αἱ συνοικούσάν τε 20 τὴν γυναῖκ' ἥδεσαν καὶ τὰ χρήματα ὅτι παρὰ τούτοις ἦν, ἵνα μὴ λόγοι μόνον, ἀλλὰ καὶ βάσανοι περι<sup>δ</sup> αὐτῶν γίγνοιτο. οὗτος δ' ἐμοῦ προκαλεσαμένου ταῦτα καὶ πάντων τῶν παρόντων δίκαια λέγειν με ἀποφαινομένων οὐκ ἠθέλησεν εἰς τοῦτο τὰκριβὲς 25 καταφυγεῖν, ἀλλ' ὥσπερ ἐτέρων τινῶν ὄντων περὶ τῶν τοιούτων σαφεστέρων ἐλέγχων ἢ βασάνων καὶ μαρτύρων, οὔτε μάρτυρας παρεχόμενος τὴν προῖκα ὡς ἀποδέδωκεν, οὐτ' εἰς βάσανον<sup>ε</sup> ἐκδιδούς τὰς συνειδυίας περὶ τοῦ μὴ συνοικεῖν τὴν ἀδελφήν, ὅτι

<sup>ε</sup> οὐδὲ κρύπτεται, Reiske. Bekker.

<sup>δ</sup> γίγνεται περὶ αὐτῶν, Reiske.

<sup>ε</sup> βασανους, Reiske.

ταὐτ' ἡξίου, ὑβριστικῶς πάνν καὶ προπηλακιστικῶς οὐκ εἶα με αὐτῷ διαλέγεσθαι. τούτου γένοιτ' ἂν τις σχετλιώτερος ἄνθρωπος, ἢ μᾶλλον ἐκὼν τὰ δίκαι' ἀγνοεῖν προσποιούμενος; λαβέ δ' αὐτὴν τὴν πρό- 5 κλησιν καὶ ἀνάγνωθι<sup>†</sup>.

### ΠΡΟΚΛΗΣΙΣ.

Ἵμεῖς<sup>1</sup> τοίνυν καὶ ἰδία καὶ δημοσία βάσανον<sup>2</sup> ἀκριβεστάτην πασῶν νομίζετε, καὶ ὁπόταν δούλοι καὶ ἐλεύθεροι παραγένωνται, δέη δ' εὐρεθῆναι τὸ 10 ζητούμενον, οὐ χρῆσθε ταῖς τῶν ἐλευθέρων μαρτυρίαις, ἀλλὰ τοὺς δούλους βασανίζοντες οὕτω ζητεῖτε τὴν ἀλήθειαν εὐρεῖν τῶν πεπραγμένων, εἰκότως, ὧ ἄνδρες δικασταί· τῶν μὲν γὰρ μαρτυρησάντων ἤδη τινὲς οὐ τἀληθὴ μαρτυρῆσαι ἔδοξαν, τῶν<sup>ε</sup> δὲ βασανισθέντων οὐδένες πώποτ' ἐξηλέγχθησαν ὥς οὐκ ἀληθῇ τὰ ἐκ τῆς βασάνου εἶπον. οὗτος δὲ τηλικαῦτα δίκαια φνγῶν καὶ σαφεῖς οὕτω καὶ μεγάλους ἐλέγ- 875 χους παραλιπὼν, Ἄφοβον παρεχόμενος μάρτυρα καὶ Τιμοκράτην, τὸν μὲν ὥς ἀποδέδωκε τὴν προῖκα, τὸν 20 δ' ὥς ἀπείληφεν, ἀξιώσει πιστεῦεσθαι παρ' ὑμῖν, ἀμάρτυρον τὴν πρὸς τούτους πρᾶξιν γεγενῆσθαι προσποιούμενος· τοσαύτην ὑμῶν εὐήθειαν κατέγνωκεν. ὅτι μὲν τοίνυν οὐτ' ἀληθῇ οὐτ' ἀληθείᾳ εἰκότα λέξουσι, καὶ ἐκ τοῦ ἐξ ἀρχῆς αὐτοὺς ὁμολογεῖν τὴν 25 προῖκα μὴ δοῦναι, καὶ ἐκ τοῦ πάλιν ἄνευ μαρτύρων ἀποδεδωκέναι φάσκειν, καὶ<sup>1</sup> ἐκ τοῦ τὸν χρόνον μὴ ἐγχωρεῖν ἀμφισβητουμένης ἤδη τῆς οὐσίας ἀποδοῦναι τὰργύριον, καὶ ἐκ τῶν ἄλλων ἀπάντων ἰκανῶς ἀποδεδεῖχθαι μοι νομίζω.

<sup>†</sup> ἀναγίνωσκε, Reiske.

<sup>ε</sup> δούλων, Reiske, Bekker.

ΠΡΟΣ ΟΝΗΤΟΡΑ ΕΞΟΥΗΛΑΣ Β.

ΥΠΟΘΕΣΙΣ.

ΠΑΡΑΔΕΛΕΙΜΜΕΝΑ τινὰ ἐν τῷ προτέρῳ λόγῳ  
διὰ τούτου προστίθουσιν, ὡς καὶ αὐτὸς ἐπισημαίνεται,  
5 καὶ δὴ καὶ πρὸς τινὰς ἀντιρρήσεις ἵσταται.

Περὶ δὲ τῶν λόγων τούτων προειρήκαμεν ὅτι πολ-  
λοὶ φασιν αὐτοὺς ὑπὸ Ἰσαίου συντεθῆναι, τοῦ ῥήτο-  
ρος ἀπιστοῦντες εἶναι διὰ τὴν ἡλικίαν, οἱ δέ γε, εἰ μὴ  
τοῦτο, διωρθῶσθαι γε ὑπὸ τοῦ Ἰσαίου· εἰκόασι γὰρ  
10 τοῖς ἐκείνου λόγοις. θαυμαστὸν δ' οὐδὲν, εἰ τὸν διδά-  
σκαλον ἐμμήσατο καὶ μηδέπω πρὸς τὸ τέλειον ἦκων  
ἐπὶ τὸν ἐκείνου χαρακτήρα μετῆει τέως.

“Ο<sup>1</sup> παρέλιπον ἐν τῷ προτέρῳ λόγῳ τεκμήριον, 87  
οὐδενὸς τῶν εἰρημένων ἔλαττον, τοῦ μὴ δεδωκέναι τὴν  
15 προῖκα τούτους Ἀφόβῳ, τοῦτο πρῶτον εἰπὼν μετὰ  
τοῦτο καὶ περὶ ὧν οὗτος ἔψευσται πρὸς ὑμᾶς ἐξε-  
λέγχειν αὐτὸν πειράσομαι. οὗτος γάρ, ὦ ἄνδρες δι-  
κασταί, τὸ πρῶτον ὅτε τῶν Ἀφόβου διανοεῖτο ἀμ-  
φισβητεῖν, οὐχὶ τάλαντον ἔφη τὴν προῖχ<sup>2</sup>, ὥσπερ  
20 νυνὶ, ἀλλ' ὀγδοήκοντα μνᾶς δεδωκέναι, κᾶτα<sup>3</sup> τίθησιν  
ὄρους<sup>2</sup> ἐπὶ<sup>2</sup> μὲν τὴν οἰκίαν δισχιλίων, ἐπὶ δὲ τὸ χωρίον  
ταλάντου, βουλόμενος μὴ μόνον τοῦτο, ἀλλὰ κάκεινην  
διασώζειν αὐτῷ. γενομένης δέ μοι τῆς δίκης πρὸς αὐ-  
τὸν, ἰδὼν ὡς διάκεισθ' ὑμεῖς πρὸς τοὺς λίαν ἀναιδῶς  
25 ἀδικοῦντας, ἔννοους<sup>3</sup> γίγνεται, καὶ δεινὰ πάσχειν  
ἠγήσατο δόξειν ἐμὲ τοσούτων χρημάτων ἀπεστερη-  
μένον, εἰ<sup>4</sup> μὴδ' ὅτιοῦν ἐξοίμι τῶν Ἀφόβου λαβεῖν τοῦ  
τάμᾳ ἔχοντος, ἀλλ' ὑπὸ τούτου κωλυόμενος φανερὸς

<sup>2</sup> καὶ, Reiske, Bekker.

<sup>3</sup> [ἀλλ'] ἐπὶ, Reiske.

γενήσομαι. καὶ τί ποιεῖ; τοὺς ὄρους ἀπὸ τῆς οἰκίας  
 ἀφαιρεῖ, καὶ τάλαντον μόνον εἶναι τὴν προικὰ φησιν,  
 ἐν<sup>5</sup> ᾧ τὸ χωρίον ἀποτετιμῆσθαι. καίτοι δηλὸν ὅτι  
 τοὺς ἐπὶ τῆς οἰκίας ὄρους εἰ δικαίως ἔθηκε καὶ ὄντως  
 5 ἀληθεῖς, δικαίως καὶ τοὺς ἐπὶ τοῦ χωρίου τέθεικεν·  
 εἰ δ' εὐθὺς ἀδικεῖν βουλόμενος ψευδεῖς ἔθηκεν ἐκείνους,  
 εἰκὸς καὶ τούτους οὐκ ἀληθεῖς ὑπάρχειν. τοῦτο τοίνυν 877  
 οὐκ ἐξ ὧν ἐγὼ δεδήλωκα λόγων δεῖ σκοπεῖν, ἀλλ'  
 ἐξ ὧν αὐτὸς οὗτος διεπράξατο· οὐδ' ὑφ' ἐνὸς γάρ  
 10 ἀναγκασθεῖς ἀνθρώπων αὐτὸς ἀνείλε τοὺς ὄρους,  
 ἔργῳ φανερὸν ποιήσας ὅτι ψεύδεται. καὶ ταῦθ' ὡς  
 ἀληθῆ λέγω, τὸ<sup>c</sup> μὲν χωρίον καὶ νῦν οὗτος φησιν  
 ἀποτετιμῆσθαι τάλαντον, τὴν δ' οἰκίαν ὡς προσω-  
 ρίσατο δισχιλίῳ καὶ πάλιν τοὺς<sup>d</sup> ὄρους ἀνείλε γε-  
 15 νομένης τῆς δίκης, τοὺς εἰδότας ὑμῖν μάρτυρας πα-  
 ρέξομαι. καὶ μοι λαβέ τὴν μαρτυρίαν.

### MARTYRIA.

Δῆλον τοίνυν ὅτι δισχιλίῳ μὲν ὠρισμένος τὴν  
 οἰκίαν, τάλαντον δὲ τὸ χωρίον, ὡς ὀγδοήκοντα μνᾶς  
 20 δεδωκὼς ἡμελλεν<sup>e</sup> ἀμφισβητήσκειν. μείζον οὖν ἂν τι  
 γένοιτο τεκμήριον ὑμῖν τοῦ μηδὲν ἀληθὲς νῦν<sup>f</sup> λέγειν  
 τοῦτον, ἢ εἰ φανείη μὴ ταῦτ' ἀλέγων τοῖς ἐξ ἀρχῆς  
 περὶ τῶν αὐτῶν; ἐμοὶ μὲν γὰρ οὐδὲν ἂν δοκεῖ<sup>g</sup> τού-  
 του μείζον εὐρεθῆναι.  
 25 Σκέψασθε<sup>1</sup> τοίνυν τὴν ἀναίδειαν, ὅς γ' ἐν ὑμῖν  
 ἐτόλμησεν εἰπεῖν ὡς<sup>2</sup> οὐκ ἀποστερεῖ με ὅσῳ πλείο-  
 νος ἄξιόν ἐστι τάλαντον, καὶ ταῦτ' αὐτὸς τιμήσας  
 οὐκ ἄξιον εἶναι πλείονος. τί γὰρ βουλόμενος δι-  
 σχιλίῳ προσωρίσω τὴν οἰκίαν, ὅτε τὰς ὀγδοήκοντα

<sup>c</sup> ὅτι τό, Reiske.

<sup>e</sup> ἡμελλεν, Reiske.

<sup>f</sup> νῦν, Reiske.

<sup>d</sup> ὅτι τοὺς, Reiske.

<sup>g</sup> Reiske omits νῦν here and inserts it after ταῦτά.

μνᾶς ἐνεκάλεις, εἴ γε τὸ χωρίον ἄξιον ἦν πλείονος,  
 ἀλλ' οὐκ ἐπὶ τούτῳ καὶ τὰς δισχιλίας ἐτίθεις; ἢ  
 ὅταν μὲν σοι δοκῇ πάντα τὰ Ἀφόβου διασώζειν, τό<sup>h</sup>  
 τε χωρίον ἔσται ταλάντου μόνον ἄξιον, καὶ τὴν οἰκ-  
 5 ἰαν ἐν δισχιλίαις προσέξεις, ἢ τε προῖξ ὀγδοήκοντα  
 μναὶ γενήσονται, καὶ ἀξιώσεις ἔχειν ἀμφότερα· ὅταν  
 δέ σοι μὴ συμφέρῃ, τάναντία πάλιν ἢ μὲν οἰκία τα-  
 λάντου, διότι νῦν ἐγὼ ταύτην ἔχω, τοῦ<sup>3</sup> δέ χωρίου 87ε  
 τὸ περιὸν οὐκ ἐλάττωνος ἢ δυοῖν ἄξιον, ἵν' ἐγὼ δοκῶ<sup>i</sup>  
 10 βλάπτειν τοῦτον, οὐκ ἀποστερεῖσθαι. ὅρῳ ὡς ὑπο-  
 κρίνῃ μὲν δεδωκέναι τὴν προῖκα, φαίνεται δέ κατ' οὐδ'  
 ὀντινουν τρόπον δεδωκώς; τα<sup>1</sup> γὰρ ἀληθῆ καὶ μὴ  
 κακουργούμενα τῶν πραγμάτων ἀπλῶς οἱ ἂν ἐξ  
 ἀρχῆςπραχθῇ, τοιαυτ' ἐστίν· σὺ δὲ τὸνναντίον  
 15 ἐξελέγχῃ πράξας εἰς τὴν καθ' ἡμῶν ὑπηρεσίαν.  
 Ἄξιον<sup>2</sup> τοίνυν καὶ τὸν ὅρκον, ὁποῖόν τιν' ἂν ὥμο-  
 σεν, εἴ τις ἔδωκεν, ἐκ τούτων ἰδεῖν. ὅς<sup>3</sup> γὰρ ὀγδοή-  
 κοντα μνᾶς ἔφη τὴν προῖκ' εἶναι, εἰ τότε αὐτῷ τις  
 ἔδωκεν, ὁμόσαντι ταυτ' ἀληθῆ λέγειν, κομίσασθαι, τί  
 20 ἐποίησεν ἂν; ἢ δῆλον ὅτι ὥμοσεν· τί γὰρ καὶ λέγων  
 οὐ φήσει τότε ἂν ὁμόσαι νῦν γε τοιαυτ' ἀξιῶν; οὐ-  
 κοῦν ὅτι γ' ἐπιώρκησεν ἂν, ἑαυτὸν ἐξελέγχει· νῦν  
 γὰρ οὐκ ὀγδοήκοντα μνᾶς, ἀλλὰ τάλαντον δεδωκέναι  
 φησίν. τί μᾶλλον ἂν οὖν εἰκότως τις αὐτὸν ἐκεῖνα  
 25 ἐπιορκεῖν ἢ τὰδ' ἡγοῖτο; ἢ τίνα τις δικαίως ἂν ἔχοι  
 περὶ τούτου διάνοιαν τοῦ ῥαδίως οὕτως ἑαυτὸν ἐξε-  
 λέγοντος ὄντ' ἐπιορκον;  
 Ἄλλὰ<sup>4</sup> νῆ Δί' ἴσως οὐχὶ πάντ' αὐτῷ τοιαῦτα  
 πέπρακται, οὐδὲ πανταχόθεν δηλὸς ἐστὶ τεχνάζων.  
 30 ἀλλὰ καὶ τιμώμενος<sup>5</sup> φανερὸς γέγονεν ὑπὲρ Ἀφόβου  
 ταλάντου, καὶ τοῦτ' αὐτὸς ἡμῖν<sup>k</sup> ἀποδώσειν ἐγγνω-

<sup>h</sup> τότε τὸ χωρίον, Reiske.

<sup>i</sup> Reiske places δοκῶ after ἀποστερεῖσθαι.

<sup>k</sup> ὑμῖν, Reiske.

μενος. καίτοι σκέψασθε ὅτι τοῦτ' ἐστὶ τεκμήριον οὐ  
μόνον τοῦ τὴν γυναῖκα συνοικεῖν Ἀφόβῳ καὶ τοῦτον  
οἰκεῖως ἔχειν, ἀλλὰ καὶ τοῦ μὴ δεδωκέναι τὴν προῖκα.  
τίς γὰρ ἄνθρωπος<sup>1</sup> ἡλίθιος ἐστὶν οὕτως ὡς<sup>m</sup> ἀργύ-  
5 ριον μὲν<sup>n</sup> δούς τοσοῦτον, ἔπειθ' ἐν λαβῶν χωρίον  
ἀμφισβητούμενον εἰς ἀποτίμησιν, σὺν οἷς πρότερον  
ἐξημίωτο, τὸν ἀδικήσαντα ὡς δίκαιόν τι ποιήσαντα 879  
καὶ<sup>1</sup> τοῦ τῆς δίκης ὀφλήματος προσεγγυήσασθαι;  
ἐγὼ μὲν<sup>o</sup> οὐδέν<sup>o</sup> οἶμαι· καὶ γὰρ οὐδὲ λόγον τὸ  
10 πρᾶγμ' ἔχον ἐστὶ, τὸν αὐτὸν αὐτῷ μὴ δυνάμενον  
κομίσασθαι τάλαντον, τοῦτον ἄλλῃ τινὶ φάσκειν  
ἀποτίσειν καὶ ταῦτ' ἐγγυᾶσθαι. ἀλλὰ καὶ ἀπ' αὐ-  
τῶν τούτων ἐστὶ δῆλον ὅτι τὴν μὲν προῖκα οὐ δέδω-  
κεν, ἀντι<sup>2</sup> δὲ πολλῶν χρημάτων τῶν ἐμῶν οἰκεῖος ὢν  
15 Ἀφόβῳ ταῦτ' ἀπετιμᾶτο, κληρονόμον τὴν<sup>p</sup> ἀδελφὴν  
τῶν ἐμῶν μετ' ἐκείνου καταστήσαι βουλόμενος. εἴτα  
νῦν παρακρούσασθαι ζητεῖ καὶ φενακίζει, λέγων ὡς  
πρότερον τοὺς ὄρους ἔστησεν ἢ ἐκείνον τὴν δίκην  
ὀφλεῖν. οὐ<sup>3</sup> πρότερόν γε ἢ παρὰ σοί, εἴ γε νῦν  
20 ἀληθῆ λέγεις· δῆλον γὰρ ὅτι καταγνοὺς ἀδικίαν  
αὐτοῦ ταῦτ' ἐποίεις. εἴτα καὶ γελοῖον τοῦτο λέγειν,  
ὥσπερ οὐκ εἰδότων ὑμῶν ὅτι πάντες οἱ τὰ τοιαῦτ'  
ἀδικοῦντες σκοποῦσι τί λέξουσιν, καὶ<sup>q</sup> οὐδεὶς πώποτ'  
ᾧφλε σιωπῶν οὐδ' ἀδικεῖν ὁμολογῶν· ἀλλ' ἐπειδὰν,  
25 οἶμαι, μηδὲν ἀληθὲς λέγων ἐξελεγχθῇ, τότε γιγνώ-  
σκεται ὁποῖός ἐστιν. ὅπερ καὶ οὗτος ἔμοιγε δοκεῖ  
πάσχειν. ἐπεὶ φέρε, πῶς ἐστὶ δίκαιον, εἰ μὲν ὀγ-  
δοήκοντα μνῶν θῆς ὄρους, ὀγδοήκοντα μνᾶς εἶναι τὴν  
προῖκα, εἰ μὲν πλείονος, πλείον, εἰ μὲν ἐλάττονος,  
30 ἐλάττον; ἢ πῶς ἐστὶ δίκαιον, τῆς ἀδελφῆς τῆς σῆς  
μηδέπω καὶ τήμερον ἄλλῃ συνοικούσης μὴδ' ἀπηλ-

<sup>1</sup> ἀνθρώπων, Reiske, Bekker.<sup>m</sup> ὅς, Bekker.<sup>n</sup> Reiske and Bekker omit μὲν.<sup>o</sup> Reiske omits ἐγὼ μὲν.<sup>p</sup> τῶν ἐμῶν τὴν ἀδελφὴν, Reiske.<sup>q</sup> οὐδεὶς δέ, Reiske.

λαγμένης Ἀφόβου, μηδὲ τὴν προῖκα δεδωκότος<sup>†</sup> σοῦ  
 μηδ' ὑπὲρ τούτων εἰς βάσανον μηδ' εἰς ἄλλο δίκαιον  
 μηδὲν καταφεύγειν<sup>‡</sup> ἐθέλοντος, ὅτι σὺ στήσαι φῆς  
 ὄρους, σὸν εἶναι τὸ χωρίον; ἐγὼ μὲν οὐδαμῶς οἶμαι·  
 5 τὴν γὰρ ἀλήθειαν σκεπτέον, οὐκ ἂν τις ἐαυτῷ πι-  
 ρεσκεύασεν ἐξεπίτηδες εἰς τὸ λέγειν τι δοκεῖν, 881  
 ὥσπερ ὑμεῖς. ἔπειτα τὸ δεινότατον· εἰ καὶ δεδωκό-  
 τες ἦτε ὡς μάλιστα τὴν προῖκα, ἣν οὐ δεδώκατε, τίς  
 ὁ τούτων αἴτιος; οὐχ<sup>1</sup> ὑμεῖς, ἐπεὶ<sup>†</sup> τὰμὰ ἔδοτε; οὐχ  
 10 ὅλοις ἔτεσι πρότερον δέκα τὰμὰ λαβὼν εἶχεν ἐκεῖνος  
 ὧν ὥφλε τὴν δίκην, ἢ κηδεστὴν σοι γενέσθαι; ἢ σὲ  
 μὲν ἔδει κομίσασθαι πάντα, τὸν δὲ καὶ καταδικασά-  
 μενον καὶ δι' ὀρφανίαν ἡδικομένον καὶ προικὸς ἀλη-  
 θινῆς ἀπεστερημένον, ὃν μόνον ἀνθρώπων οὐδὲ τῆς  
 15 ἐπωβελίας ἄξιον ἦν κινδυνεύειν, ἡναγκάσθαι τοιαῦτα  
 παθεῖν, κεκομισμένον μηδ' ὀτιοῦν, καὶ ταυτ' ἐθέλοντα  
 ποιεῖν ὑμῖν αὐτοῖς, εἴ τι τῶν δεόντων ἡβούλεσθε<sup>11</sup>  
 πράττειν;

ΠΑΡΑΓΡΑΦΗ<sup>2</sup> ΠΡΟΣ ΖΗΝΟΘΕΜΙΝ.

20

## ΥΠΟΘΕΣΙΣ.

ΔΑΝΕΙΣΑΜΕΝΟΣ παρὰ Δήμωνος, ἐνὸς τῶν Δημοσ-  
 θένουσιν συγγενῶν, ἔμπορός τις, Πρῶτος ὄνομα, ἐ-  
 πρίατο τοῦ ἀργυρίου σῖτον ἐν Συρακούσαις, καὶ τοῦτον  
 ἐκόμισεν εἰς Ἀθήνας ἐπὶ νεῶς ἧς Ἡγέστρατος ἐναυ-  
 25 κλήρει. Ἡγέστρατος δὲ καὶ Ζηνόθεμις, πρὸς ὃν ἐστίν  
 ἡ παραγραφή, Μασσαλιῶται μὲν ἦσαν τὸ γένος, κα-  
 κούργημα δὲ τοιοῦτον ἐν Συρακούσαις ἐκακούργησαν,  
 ὡς ὁ ρήτωρ φησίν. ἐδανείσαντο<sup>1</sup> χρήματα, ταῦτα δὲ 881

<sup>†</sup> δεδωκότος τούτου σοῦ, Reiske.<sup>‡</sup> ἐπεὶ εἰς, Reiske.<sup>1</sup> καταφυγεῖν, Reiske.<sup>11</sup> ἐβούλεσθε, Reiske.

εἰς μὲν τὴν ναῦν οὐκ ἐνέθεντο, λάθρα δὲ εἰς τὴν Μασσαλίαν ἀπέστειλαν, ἀποστερήσαι τοὺς δανείσαντας βεβουλευμένους. ἐπειδὴ γὰρ ἐγγέγραπτο ἐν τῷ συμβολαίῳ, εἰ πάθοι τι ἡ ναὺς, μὴ ἀπαιτεῖσθαι αὐτοὺς τὰ 5 χρήματα, ἐσκέψαντο καταδῦσαι τὴν ναῦν. νύκτωρ οὖν ἐν τῷ πλῶ κατελθὼν ὁ Ἡγέστρατος διέκοπτε τοῦ πλοίου τὸ ἔδαφος<sup>2</sup>. φωραθεὶς δὲ καὶ φεύγων τοὺς ἐπιβάτας<sup>3</sup> εἰς τὴν θάλασσαν εἰσπίπτει καὶ παραχρῆμα ἀπόλλυται. ὁ τοίνυν Ζηνοθέμις, ὁ κοινωνὸς, 10 ὡς φησὶν ὁ ῥήτωρ, τοῦ Ἡγεστράτου, μόλις σωθεὶς εἰς Ἀθήνας τῆς νεῶς, ἡμφισβῆται τοῦ σίτου, λέγων εἶναι τὸν σίτον Ἡγεστράτου, ἐκεῖνον δὲ παρ' ἑαυτοῦ δεδανείσθαι<sup>4</sup> χρήματα. ἐνστάντων δὲ αὐτῷ τοῦ τε Πρώτου καὶ τοῦ Δήμωνος ἀμφοτέροις ἔλαχε δίκην 15 ἐμπορικὴν, καὶ τὸν Πρῶτον ἐξ ἐρήμης ἐλὼν ἐκόντα, ὡς φησὶ Δημοσθένης, καὶ συγκακουργοῦντα, εἰσάγει καὶ τὸν Δήμωνα δεύτερον εἰς τὸ δικαστήριον. ὁ δὲ παραγράφεται μὴ εἰσαγώγιμον εἶναι τὴν δίκην, νόμον παρεχόμενος τὸν δίδοντα τοῖς ἐμπόροις τὰς δίκας 20 εἶναι περὶ τῶν Ἀθήναζε καὶ τῶν Ἀθήνηθεν συμβολαίων· Ζηνοθέμιδι δὲ φησὶ μηδὲν συμβόλαιον εἶναι πρὸς αὐτόν<sup>5</sup>. καὶ ὁ μὲν ἀγὼν ἐστὶ παραγραφικὸς, ὁ δὲ λόγος, ὡς τῆς εὐθυδικίας<sup>6</sup> τοῦ πράγματος εἰσηγμένης, οὕτως εἴρηται περὶ τοῦ μὴ Ζηνοθέμιδος εἶναι 25 τὸν σίτον, ἀλλὰ τοῦ Πρώτου, ᾧ ὁ<sup>7</sup> Δήμων ἐδάνεισε τὸ ἀργύριον. οὐ γὰρ βούλεται δοκεῖν ῥήματι τοῦ νόμου μόνον ἰσχυρίζεσθαι κατὰ τὸ πρᾶγμα ἀδικῶν, 882 ἀλλὰ δείκνυσιν ὡς θαρρεῖ μὲν καὶ τῇ εὐθείᾳ, ἐκ<sup>1</sup> περυσίας δὲ αὐτῷ καὶ παραγραφὴν ὁ νόμος δίδωσι.

30 Ἄνδρες<sup>2</sup> δικασταί, βούλομαι παραγεγραμμένους μὴ εἰσαγώγιμον εἶναι τὴν δίκην περὶ τῶν νόμων

<sup>2</sup> δανείσασθαι, Reiske.

<sup>5</sup> αὐτόν, Reiske, Bekker.

<sup>7</sup> Reiske omits ὁ

- πρῶτον εἰπεῖν, καθ' οὓς παρεγραψάμην. οἱ νόμοι  
κελεύουσιν, ὥ ἀνδρες δικασταί, τὰς δίκας εἶναι τοῖς  
ναυκλήροις καὶ τοῖς ἐμπόροις τῶν Ἀθηναίων καὶ τῶν  
Ἀθήνηθεν συμβολαίων, καὶ περὶ ὧν ἂν ὦσι συγγρα-  
5 φαί· ἐάν<sup>d</sup> δέ τις παρὰ ταῦτα δικάζεται, μὴ εἰσα-  
γώγιμον εἶναι τὴν δίκην. τούτῳ τοίνυν Ζηνοθέμιδι  
πρὸς μὲν ἐμέ ὅτι οὐδέν ἦν συμβόλαιον οὐδὲ συγ-  
γραφὴ, καὶ αὐτὸς ὁμολογεῖ ἐν τῷ ἐγκλήματι· δα-  
νεῖσαι δέ φησιν Ἡγεστράτῳ<sup>e</sup> ναυκλήρῳ, τούτου δὲ  
10 ἀπολομένου ἐν τῷ πελάγει ἡμᾶς τὸ ναῦλον σφετε-  
ρίσασθαι· τουτί<sup>f</sup> τὸ ἐγκλημά ἐστιν. ἐκ δὴ<sup>g</sup> τοῦ  
αὐτοῦ λόγου τὴν τε δίκην οὐκ εἰσαγώγιμον οὐσαν  
μαθήσεσθε καὶ τὴν ὅλην ἐπιβουλὴν καὶ πονηρίαν  
τουτοῦ τοῦ ἀνθρώπου ὄψεσθε. δέομαι δ' ὑμῶν πάν-  
15 των, ὥ ἀνδρες δικασταί, εἴπερ ἄλλῳ τινὶ πώποτε  
πράγματι τὸν νοῦν προσέσχετε<sup>h</sup>, καὶ τούτῳ προσ-  
χεῖν<sup>i</sup>· ἀκούσεσθε γὰρ ἀνθρώπου τόλμαν καὶ πονηρίαν  
οὐ τὴν τυχοῦσαν, ἅνπερ<sup>j</sup> ἐγὼ τὰ πεπραγμένα αὐτῷ 88<sup>k</sup>  
πρὸς ὑμᾶς πολλάκις εἰπεῖν δυνηθῶ. οἶομαι δέ.  
20 Ζηνοθέμις<sup>2</sup> γὰρ οὕτοσι ὧν ὑπηρέτης Ἡγεστρά-  
του τοῦ ναυκλήρου, ὃν καὶ αὐτὸς ἔγραψεν ἐν τῷ  
ἐγκλήματι ὡς ἐν τῷ πελάγει ἀπώλετο, πῶς δ', οὐ  
προσέγραψεν, ἀλλ' ἐγὼ φράσω, ἀδίκημα τοιουτοῦ  
μετ' ἐκείνου συνεσκευάσατο. χρήματα ἐν ταῖς Συ-  
25 ρακούσαις ἐδανείζετο οὗτος<sup>3k</sup> κάκεῖνος<sup>l</sup>. ὁμολογεῖ δ'  
ἐκεῖνος μὲν πρὸς τοὺς τούτῳ δανείζοντας, εἴ τις  
ἔροιτο, ἐνεῖναι σίτον ἐν τῇ νηὶ τούτῳ πολὺν, οὕτοσι  
δὲ πρὸς τοὺς ἐκείνῳ τὸν γόμον οἰκεῖον ἔχειν αὐτὸν<sup>4</sup>  
τῆς νεώς· ὧν<sup>5</sup> δὲ ὁ μὲν ναύκληρος, ὁ δὲ ἐπιβάτης,  
30 ἐπιστεύοντο εἰκότως ἅ περὶ ἀλλήλων ἔλεγον. λαμ-

<sup>d</sup> ἂν, Reiske, Bekker.

<sup>e</sup> Ἡγεστράτῳ τῷ ναυκλήρῳ, Reiske.

<sup>f</sup> καὶ τουτί, Reiske.

<sup>g</sup> δὲ, Reiske, Bekker.

<sup>h</sup> προσέσχετε, Reiske, Bekker.

<sup>i</sup> προσέχειν, Reiske, Bekker.

<sup>k</sup> οὕτοσι, Reiske.

<sup>l</sup> καὶ ἐκεῖνος, Reiske, Bekker.

βάνοντες δὲ τὰ χρήματα οἵκαδε ἀπέστελλον εἰς τὴν  
 Μασσαλίαν, καὶ οὐδὲν εἰς τὴν ναῦν εἰσέφερον. οὐσῶν  
 δὲ τῶν συγγραφῶν, ὥσπερ εἰώθασιν ἀπασαι, σωθεί-  
 σης τῆς νεὸς ἀποδοῦναι τὰ χρήμαθ', ἵν' ἀποστερή-  
 5 σαιεν τοὺς δανείσαντας, τὴν ναῦν καταδῦσαι ἐβουλεύ-  
 σαντο. ὁ μὲν οὖν Ἡγέστρατος, ὡς ἀπὸ τῆς γῆς  
 ἀπῆραν δυοῖν<sup>μ</sup> ἢ τριῶν ἡμερῶν πλοῦν, καταβάς τῆς  
 νυκτός εἰς κοίλην ναῦν διέκοπτε τοῦ πλοίου τὸ ἔδα-  
 φος· οὕτοσί δ', ὡς οὐδὲν εἰδὼς, ἄνω μετὰ τῶν ἄλλων  
 10 ἐπιβατῶν διέτριβεν. ψόφου δὲ γενομένου, αἰσθάν-  
 νονται οἱ ἐν τῇ πλοίῳ ὅτι κακόν τι ἐν νηὶ<sup>ν</sup> κοίλῃ  
 γίγνεται, καὶ βοηθοῦσι κάτω. ὡς δ' ἠλίσκετο ὁ  
 Ἡγέστρατος καὶ δίκην δώσειν ὑπέλαβε<sup>ο</sup>, φεύγει καὶ  
 ἐκδιωκόμενος ῥίπτει ἑαυτὸν εἰς τὴν θάλατταν, δια-  
 15 μαρτῶν δὲ τοῦ λέμβου διὰ τὸ νύκτα εἶναι ἀπεπνίγη.  
 ἐκεῖνος μὲν οὖν οὕτως, ὥσπερ ἄξιος ἦν, κακὸς κακῶς  
 ἀπώλετο, ἃ τοὺς ἄλλους ἐπεβούλευσε ποιῆσαι, ταῦ- 884  
 τα παθὼν αὐτός. οὕτοσί δ' ὁ κοινωνὸς αὐτοῦ καὶ  
 συνεργὸς τὸ μὲν πρῶτον εὐθύς ἐν τῇ πλοίῳ παρὰ<sup>1</sup>  
 20 τὰ δεικνύματα, ὡς οὐδὲν εἰδὼς, ἀλλ' ἐκπεπληγμένος καὶ  
 αὐτός, ἔπειθε τὸν πρωρέα καὶ τοὺς ναύτας εἰς τὸν  
 λέμβον ἐκβαίνειν<sup>ρ</sup> καὶ ἐκλιπεῖν τὴν ναῦν τὴν ταχί-  
 στην, ὡς ἀνελπίστου τῆς σωτηρίας οὔσης καὶ κατα-  
 δυσομένης τῆς νεὸς αὐτίκα μάλα, ἵν' ὅπερ διενεόθη-  
 25 σαν, τοῦτ' ἐπιτελεσθῇ καὶ ἡ ναὺς ἀπόλοιτο καὶ τὰ  
 συμβόλαια ἀποστερήσαιεν. ἀποτυχὼν δὲ τούτου,  
 καὶ τοῦ<sup>2</sup> παρ' ἡμῶν συμπλέοντος<sup>α</sup> ἐναντιωθέντος καὶ  
 τοῖς ναύταις μισθοῦς, εἰ διασώσαιεν τὴν ναῦν, μεγά-  
 λους ἐπαγγεिलाμένου, σωθείσης εἰς Κεφαλληνίαν<sup>ρ</sup>  
 30 τῆς νεὸς διὰ τοὺς θεοὺς μάλιστα γε, εἴτα καὶ διὰ

<sup>μ</sup> δυεῖν, Reiske.<sup>ν</sup> κοίλῃ νηϊ, Reiske, Bekker.<sup>ο</sup> ὑπελάμβανε, Reiske.<sup>ρ</sup> ἐμβαίνειν καὶ ἐκλείπειν, Reiske.<sup>α</sup> ἐμπλέοντος, Reiske.<sup>ρ</sup> Κεφαλληνίαν, Reiske, Bekker; so also wherever the name occurs.

τὴν τῶν ναυτῶν ἀρετὴν, πάλιν μετὰ τῶν Μασσαλιωτῶν τῶν τοῦ Ἡγεστράτου πολιτῶν μὴ καταπλεῖν Ἀθήναζε τὸ πλοῖον ἔπραττε, λέγων ὡς αὐτός τε καὶ τὰ χρήματ' ἐκεῖθεν ἐστὶ, καὶ ὁ ναύκληρος εἶη  
 5 καὶ οἱ δεδανεικότες Μασσαλιῶται. ἀποτυχῶν δὲ καὶ τούτου, καὶ τῶν ἀρχόντων τῶν ἐν τῇ Κεφαλληνίᾳ γνόντων Ἀθήναζε τὴν ναῦν καταπλεῖν, ὅθεν περ ἀνήχθη, ὃν οὐδ' ἂν εἰς ἐλθεῖν ᾤετο δεῦρο τολμῆσαι τοιαυτὰ γε ἐσκευωρημένον<sup>3</sup> καὶ πεποιηκότα, οὗτος ὦ  
 10 ἄνδρες Ἀθηναῖοι τοσοῦτον ὑπερβέβληκεν ἀναιδείᾳ καὶ τόλμῃ ὥστ' οὐκ ἐλήλυθε μόνον, ἀλλὰ καὶ τοῦ σίτου τοῦ ἡμετέρου ἀμφισβητήσας ἡμῖν δίκην πρὸς<sup>45</sup> εἶληχεν.

Τί οὖν ποτ' ἐστὶ τὸ αἴτιον, καὶ τῷ ποτ' ἐπηρε-  
 15 μένος οὗτος καὶ ἐλήλυθε καὶ τὴν δίκην εἶληχεν; ἐγὼ ὑμῖν ἔρῳ, ἄνδρες δικασταί, ἀχθόμενος<sup>5</sup> μὲν νῆ τὸν Δία καὶ θεοὺς, ἀναγκαζόμενος δέ. ἔστιν ἐργαστήρια μοχ- 88  
 θηρῶν ἀνθρώπων συνεστηκότων ἐν τῷ Πειραιεῖ· οὓς οὐδ' ὑμεῖς ἀγνοήσετε<sup>†</sup> ἰδόντες. ἐκ<sup>1</sup> τούτων ἓνα, ἡνίχ'  
 20 οὗτος ἔπραττεν ὅπως ἡ ναῦς μὴ καταπλευσεῖται δεῦρο, πρεσβευτὴν ἐκ βουλῆς τινὰ λαμβάνομεν γνώριμον οὕτωςι, ὅ τι<sup>υ</sup> δ' ἦν οὐκ εἰδότες, ἀτύχημα οὐδὲν ἔλαττον, εἰ οἷόν τ' εἰπεῖν, ἀτυχήσαντες ἢ τὸ ἐξ ἀρχῆς πονηροῖς ἀνθρώποις συμμῖξαι. οὗτος ὁ πεμφθεὶς  
 25 ὑφ' ἡμῶν, Ἀριστοφῶν ὄνομα αὐτῷ, ὃς καὶ τὰ τοῦ Μικκαλίωνος πράγματα ἐσκευώρηται, ταῦτα γὰρ νῦν ἀκούομεν, ἡργολάβηκεν<sup>3</sup> αὐτὸς<sup>ω</sup> καὶ κατεπήγ-  
 γελται τουτωί, καὶ ὅλως ἐστὶν ὁ πάντα πράττων οὗτος<sup>3</sup>. οἳ δὲ ἄσμενος δέδεκται ταῦτα. ὡς γὰρ διή-  
 30 μαρτε τοῦ διαφθαρῆναι τὸ πλοῖον, οὐκ ἔχων αποδοῦναι τὰ χρήματα τοῖς δανείασσι, πῶς γὰρ ἅ γε ἐξ

\* προσεῖληχεν, Reiske, Bekker.

† ἀγνοήσαιτε, Reiske.

υ ὅτι δ' ἦν τοιοῦτος οὐκ, Reiske.

ω ἑαυτὸν, Reiske.

ἀρχῆς μὴ ἐνέθετο; ἀντιποιεῖται τῶν ἡμετέρων, καὶ φησι τῷ Ἡγεστράτῳ ἐπὶ τούτῳ τῷ σίτῳ δεδανεικῆναι ὃν<sup>4</sup> ὁ παρ' ἡμῶν ἐπιπλέων ἐπρίατο. οἱ<sup>5</sup> δὲ δανεισταὶ τὸ ἐξ ἀρχῆς ἐξηπατημένοι, ὁρῶντες ἑαυ-  
 5 τοῖς ἀντὶ τῶν χρημάτων ἀνθρωπον πονηρὸν χρήστην, ἄλλο δ' οὐδέν, ἐλπίδα ἔχοντες ὑπὸ τούτου παρακρουσθέντων ὑμῶν ἐκ τῶν ἡμετέρων ἀπολήψεσθαι τὰ ἑαυτῶν, ὃν ἴσασι ψευδόμενον ταῦτα καθ' ἡμῶν, τούτῳ συνδικεῖν ἀναγκάζονται τοῦ συμφέρον-  
 10 τος ἕνεκα<sup>χ</sup> τοῦ ἑαυτῶν.

Τὸ μὲν οὖν πρᾶγμα ὑπὲρ οὗ τὴν ψῆφον οἴσετε, ὥς εἰπεῖν ἐν κεφαλαίῳ, τοιοῦτόν ἐστι. βούλομαι δὲ τοὺς μάρτυρας ὧν λέγω πρῶτον ὑμῖν παρασχόμενος, μετὰ ταῦτα δὴ καὶ τὰλλα<sup>γ</sup> διδάσκειν. καὶ  
 15 μοι λέγε τὰς μαρτυρίας.

## ΜΑΡΤΥΡΙΑΙ.

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Ἐπειδὴ<sup>1</sup> τοίνυν<sup>2</sup> ἀφίκετο δεῦρο τὸ πλοῖον, γνόντων τῶν Κεφαλλήνων ἀντιπράττοντος τούτου, ὅθεν ἐξέπλευσε τὸ πλοῖον, ἐνταῦθα καὶ καταπλεῖν αὐτὸ,  
 20 τὴν μὲν ναῦν οἱ<sup>3</sup> ἐπὶ τῇ νηὶ δεδανεικότες ἐνθένδε εὐθέως εἶχον, τὸν δὲ σίτον ὁ ἡγορακῶς εἶχεν· ἦν δ' οὗτος ὁ ἡμῖν τὰ χρήματ' ὀφείλων. μετὰ ταῦτα ἦκεν<sup>2</sup> οὗτος ἔχων τὸν παρ' ἡμῶν πεμφθέντα πρεσβευτήν, τὸν Ἀριστοφῶντα, καὶ ἡμφισβήτηι τοῦ  
 25 σίτου, φάσκων Ἡγεστράτῳ δεδανεικῆναι. “τί λέγεις, ἀνθρωπε;” εὐθέως ὁ Πρῶτος<sup>4</sup>, τοῦτο γὰρ ἦν τοῦνομα τῷ τὸν σίτον εἰσαγαγόντι, τῷ τὰ χρήμαθ' ἡμῖν ὀφείλοντι, “σὺ χρήματα δέδωκας Ἡγεστράτῳ, μεθ' οὗ τοὺς ἄλλους ἐξηπάτηκας, ὅπως δανείσηται<sup>5</sup>,

<sup>χ</sup> ἕνεκα, Reiske, Bekker.<sup>γ</sup> τὰλλα, Bekker.<sup>2</sup> οὗτος ἦκεν, Reiske.

καί<sup>6</sup> α σοὶ πολλάκις λέγοντα ὅτι τοῖς προϊεμένοις<sup>β</sup>  
 ἀπολείται τὰ χρήματα; σὺ οὖν ταυτ' ἀκούων αὐτὸς  
 ἂν προήκω<sup>γ</sup>;" ἔφη<sup>8</sup> καὶ ἀναιδὴς ἦν. "οὐκοῦν εἰ<sup>ε</sup> τὰ  
 μάλιστα ἀληθῆ λέγεις," τῶν παρόντων τις ὑπέλα-  
 βεν, "ὁ σὸς κοινωνὸς καὶ πολίτης, ὁ Ἑγέστρατος,  
 5 ὡς ἔοικεν, ἐξηπάτηκέ σε, καὶ ὑπὲρ τούτων αὐτὸς  
 αὐτῷ θανάτου τιμήσας ἀπόλωλεν." "καὶ ὅτι γ',"  
 ἔφη τις τῶν παρόντων, "ἅπάντων ἐστὶ συνεργὸς  
 οὗτος ἐκείνῳ, σημεῖον ὑμῖν ἐρῶ· πρὸ γὰρ τοῦ δια-  
 10 κόπτειν ἐπιχειρῆσαι τὴν ναῦν, τίθενται πρὸς τινα  
 τῶν συμπλεόντων οὗτος καὶ ὁ<sup>δ</sup> Ἑγέστρατος βιβ-  
 λιον<sup>9</sup> συγγραφὴν. καίτοι εἰ<sup>10</sup> μὲν εἰς πίστιν ἐδωκας<sup>ε</sup>,  
 τί πρὸ τοῦ κακουργήματος ἂν τὰ βέβαια ἐποιοῦ;  
 εἰ δ' ἀπιστῶν ἐτύγχανες, τί οὐχ ὥσπερ οἱ ἄλλοι,  
 15 τὰ δίκαια ἐλάμβανες ἐν τῇ γῇ;" τί ἂν τὰ πολλὰ  
 λέγοι τις; ἦν γὰρ οὐδ' ὅτιοῦν πλέον ἡμῖν ταῦτα  
 λέγουσιν, ἀλλ' εἵχετο<sup>ζ</sup> τοῦ σίτου. ἐξῆγεν<sup>1</sup> αὐτὸν 887  
 ὁ Πρῶτος καὶ ὁ κοινωνὸς τοῦ Πρώτου, Φέρτατος·  
 οὗτος δ' οὐκ ἐξήγετο, οὐδ' ἂν ἔφη διαρρήδην ὑπ'  
 20 οὐδενὸς ἐξαχθῆναι<sup>8</sup>, εἰ μὴ αὐτὸν ἐγὼ ἐξάξω. μετὰ  
 ταῦτα προῦκαλεῖτο ὁ Πρῶτος αὐτὸν καὶ ἡμεῖς ἐπὶ  
 τὴν ἀρχὴν τὴν τῶν Συρακοσίων, καὶ μὲν ἐωνημένος  
 τὸν σίτον ἐκεῖνος<sup>2</sup> φαίνεται καὶ τὰ τέλη<sup>3</sup> κείμενα  
 ἐκείνου<sup>1</sup> καὶ τὰς τιμὰς<sup>4</sup> ὁ διαλύων ἐκεῖνος, τοῦτον  
 25 πονηρὸν ὄντα ἠξιούμεν ζημιοῦσθαι, εἰ δὲ μὴ, καὶ τὰ<sup>5</sup>  
 διάφορα ἀπολαβεῖν καὶ τάλαντον προσλαβεῖν, καὶ  
 τοῦ σίτου ἀφιστάμεθα. ταυτ' ἐκείνου προκαλου-  
 μένου καὶ λέγοντος καὶ ἡμῶν οὐδὲν ἦν πλέον, ἀλλ'  
 ἦν αἵρεσις ἢ τοῦτον ἐξάγειν ἡμᾶς ἢ ἀπολωλεκέναι<sup>6</sup>  
 30 σωθέντα καὶ παρόντα τὰ ἡμέτερ' αὐτῶν. ὁ γὰρ αὐ  
 Πρῶτος διεμαρτύρετο<sup>7</sup> ἐξάγειν βεβαιοῦν ἀναπλεῖν

<sup>α</sup> καίτοι πολλάκις λέγοντας, Reiske.

<sup>β</sup> προεμένοις, Reiske.

<sup>ε</sup> εἰ καί, Reiske.

<sup>δ</sup> Reiske omits ὁ

<sup>ε</sup> ἐδωκας, Reiske.

<sup>ζ</sup> ἀντεῖχετο, Reiske.

<sup>8</sup> ἐξαχθῆναι ἂν, Reiske.

<sup>1</sup> ἐκείνῳ, Reiske.

ἐθέλῃν εἰς τὴν Σικελίαν. εἰ<sup>8</sup> δὲ ταυτ' ἐθέλοντος αὐτοῦ προησόμεθ' ἡμεῖς τούτῳ τὸν σῖτον, οὐδὲν αὐτῷ μέλειν. καὶ ὅτι ταυτ' ἀληθὴ λέγω, καὶ οὐτ' ἂν ἐξαχθῆναι ἔφη, εἰ μὴ ὑπ' ἐμοῦ, οὐθ' ἂν προῦκα-  
 5 λείτο περὶ τοῦ αναπλεῖν ἐδέχετο, ἔν τε τῷ πλοίῳ τὴν συγγραφὴν ἔθετο, λέγε τὰς μαρτυρίας.

### ΜΑΡΤΥΡΙΑΙ.

Ἐπειδὴ<sup>9</sup> τοίνυν οὐτ' ἐξάγεσθαι ᾗθελεν ὑπὸ τοῦ Πρώτου οὐτ' εἰς τὴν Σικελίαν ἀναπλεῖν ἐπὶ τὰ  
 10 δίκαια, προειδώς θ' ἅπαντα ἐφαίνετο ἂν ὁ Ἡγέστρα-  
 τος ἐκακούργει, λοιπὸν ἦν ἡμῖν τοῖς ἐνθένδε μὲν πεπονημένοις τὸ συμβόλαιον, παρειληφόσι δὲ τὸν σῖτον παρὰ τοῦ δικαίως ἐκεῖ πριαμένου, ἐξάγειν  
 15 τοῦτον. τί γὰρ ἂν καὶ ἄλλο ἐποιούμεν; οὐπω γὰρ  
 15 τοῦτό γε οὐδεὶς ἡμῶν<sup>10</sup> τῶν κοινωνῶν ὑπέλαβεν, ὥς 88ε  
 ἡμεῖς γνώσεσθαι ποτ' εἶναι τούτου τὸν σῖτον, ὃν καταλιπεῖν οὗτος ἔπειθε τοὺς ναύτας, ὅπως ἀπό-  
 λαιτο τοῦ πλοίου καταδύντος. ὃ καὶ μέγιστόν ἐστι σημεῖον τοῦ μηδὲν προσήκειν αὐτῷ· τίς γὰρ ἂν τὸν  
 20 ἑαυτοῦ σῖτον ἔπειθε προέσθαι τοὺς σώζειν βουλο-  
 μένους; ἢ τίς οὐκ ἂν ἔπλει δεξάμενος τὴν πρό-  
 κλησιν εἰς τὴν Σικελίαν, οὐ ταῦτα ἦν ἐλέγξαι  
 καθαρῶς; καὶ μὴν οὐδὲ<sup>1</sup> τοῦτ' ἡμελλον<sup>h</sup> ἡμῶν κατα-  
 γνώσεσθαι, ὥς εἰσαγώγιμον ψηφιεῖσθε<sup>i</sup> τούτῳ τὴν  
 25 δίκην περὶ τούτων τῶν χρημάτων, ἃ κατὰ πολ-  
 λούς τρόπους οὗτος ἔπραττεν ὅπως μὴ εἰσαγώγιμα  
 δεῦρ' ἔσται, πρῶτον μὲν ὅτε αὐτὰ καταλιπεῖν τοὺς  
 ναύτας ἔπειθεν, εἰθ' ὅτ' ἐν Κεφαλληνία μὴ δεῦρο  
 πλεῖν τὴν ναὺν ἔπραττεν. πῶς γὰρ οὐκ αἰσχρὸν καὶ  
 30 δεινὸν ἂν γένοιτο, εἰ Κεφαλλῆνες μὲν, ὅπως τοῖς  
 Ἀθηναίοις σωθῇ τὰ χρήματα, δεῦρο πλεῖν τὴν ναὺν

<sup>h</sup> ἐμέλλομεν, Reiske.

<sup>i</sup> τούτῳ ψηφιεῖσθε, Reiske.

ἔκριναν, ὑμεῖς δ' ὄντες Ἀθηναῖοι τὰ τῶν πολιτῶν τοῖς καταποντίσαι βουλευθεῖσι δοῦναι γνοίητε, καὶ ἂ μὴ καταπλεῖν ὅλως οὗτος δεῦρο ἔπραττε, ταῦτ' εἰσαγώγιμα τούτῳ ψηφίσαισθε; μὴ δῆπον, ὦ Ζεῦ 5 καὶ θεοί. λέγε δὴ μοι, τί παραγέγραμμαι.

## ΠΑΡΑΓΡΑΦΗ.

Λέγε δὴ μοι τὸν νόμον.

## ΝΟΜΟΣ.

“Οτι<sup>2</sup> μὲν τοίνυν ἐκ τῶν νόμων παρεγραψάμην  
 10 μὴ εἰσαγώγιμον εἶναι τὴν δίκην ἱκανῶς οἶομαι δε-  
 δεῖχθαι· τέχνην δ' ἀκούσεσθε τοῦ σοφοῦ τοῦ ταῦτα  
 πάντα συντεταχότος, τοῦ Ἀριστοφώντος. ὥς γὰρ  
 ἐκ τῶν πραγμάτων ἀπλῶς οὐδὲν ἐώρων δίκαιον αὐτοῖς  
 ἐνόν, ἐπικηρυκεύονται<sup>3</sup> τῷ Πρώτῳ καὶ πείθουσι τὸν  
 15 ἄνθρωπον ἐνδοῦναι τὰ πράγμαθ' αὐτοῖς πράττοντες 889  
 μὲν, ὥς ἔοικε, καὶ ἐξ ἀρχῆς τοῦτο, ὥς ἡμῖν νυνὶ  
 φανερόν γέγονεν, οὐ δυνάμενοι δὲ πείσσαι. ὁ γὰρ  
 ἄνθρωπος ὁ Πρώτος, ἕως μὲν ᾤετο τὸν σῖτον κέρδος  
 ἐλθόντα ποιήσειν, ἀντείχετο τούτου καὶ μᾶλλον  
 20 ἠρεῖτο αὐτός τε κερδᾶναι καὶ ἡμῖν τὰ δίκαια ἀπο-  
 δοῦναι ἢ κατακοινωνήσας τούτοις τῆς μὲν ὠφελείας  
 τούτους ποιῆσαι μερίτας, ἡμᾶς δ' ἀδικῆσαι· ὥς δὲ  
 δεῦρο ἦκοντος αὐτοῦ καὶ περὶ ταῦτα πραγματευο-  
 μένου ἐπανῆκεν<sup>1</sup> ὁ σῖτος, ἄλλην εὐθέως ἔλαβε γνῶ-  
 25 μιν. καὶ ἅμα, εἰρήσεται γὰρ ὦ ἄνδρες Ἀθηναῖοι  
 πᾶσα πρὸς ὑμᾶς ἡ ἀλήθεια, καὶ ἡμεῖς οἱ δεδανει-  
 κότες προσεκρούομεν<sup>2</sup> αὐτῷ καὶ πικρῶς εἴχομεν, τῆς  
 τε ζημίας ἐφ' ἡμᾶς ἰούσης τῆς ἐπὶ τὸν σῖτον, καὶ<sup>3</sup>  
 συκοφάντην ἀντὶ χρημάτων αἰτιώμενοι τοῦτον ἡμῖν  
 30 κεκομικέναι. ἐκ τούτων, οὐδὲ φύσει χρηστός ὢν ἄν-  
 θρωπος δηλονότι, ἐπὶ τούτους ἀποκλίνει, καὶ συγ-

χωρεῖ τὴν δίκην ἔρημον ὀφλεῖν, ἣν οὗτος αὐτῷ  
 λαγχάνει τότε, ὅτε οὐπω ταῦτ' ἐφρόνουν. εἰ μὲν  
 γὰρ ἀφῆκε τὸν Πρῶτον, ἐξελλέγεκτ' ἂν εὐθέως ἡμᾶς  
 συκοφαντῶν· ὀφλεῖν δὲ παρὼν ἐκείνος οὐ συνεχώρει,  
 5 ἢ<sup>4</sup> εἰ μὲν αὐτῷ ποιῶσιν ἃ ὠμολογήκασιν· εἰ δέ  
 μὴ, τὴν ἔρημον ἀντιλάχῃ. ἀλλὰ τί ταῦτα; εἰ μὲν  
 γὰρ ἃ γέγραφεν οὗτος εἰς τὸ ἔγκλημα ἐποίει, οὐκ  
 ὀφλεῖν ἂν δίκην δικαίως, ἀλλ' ἀποθανεῖν ὁ Πρῶτος  
 ἔμοιγε δοκεῖ. εἰ γὰρ ἐν κακοῖς καὶ χειμῶνι τοσοῦ-  
 10 τον οἶνον ἔπινεν ὥσθ' ὅμοιον εἶναι μανία, τί οὐκ  
 ἄξιός ἐστι παθεῖν; ἢ εἰ γράμματ' ἔκλεπτεν ἢ ὑπα-  
 νέωγεν; ἀλλὰ ταῦτα μὲν αὐτοῖς πρὸς ἑαυτοὺς ὑμεῖς  
 ὅπως ποτὲ ἔχει<sup>κ</sup> διακρινεῖσθε· τῇ δ' ἐμῇ δίκῃ μη-89  
 δὲν ἐκείνης πρόσαγε. εἴ τί σε ἠδίκηκεν ὁ Πρῶτος ἢ  
 15 λέγων ἢ ποιῶν, ἔχεις<sup>1</sup>, ὥς ἔοικε, δίκην· οὐδεὶς ἡμῶν  
 ἐκώλυσεν, οὐδὲ νῦν παραιτεῖται. εἰ δὲ σεσυκοφάν-  
 τηκας, οὐ<sup>2</sup> περιεργαζόμεθα νῆ Δία. ἀλλ'<sup>3</sup> ἐκποδῶν  
 ἐστὶν ἄνθρωπος<sup>1</sup>. διὰ γε ὑμᾶς, ἵνα τὰς τε μαρτυ-  
 ρίας τὰς ἡμετέρας λίπη, καὶ νῦν ὑμεῖς ὅ τι ἂν βού-  
 20 λησθε λέγητε κατ' αὐτοῦ. εἰ μὴ γὰρ δι' ὑμῶν ἔρη-  
 μος ἐγίγνετο ἡ δίκη, ἅμα<sup>4</sup> ἂν αὐτὸν προσεκαλοῦ  
 καὶ κατηγογῶας πρὸς τὸν πολέμαρχον, καὶ<sup>5</sup> εἰ μὲν  
 κατέστησέ σοι τοὺς ἐγγυητὰς, μένειν ἡναγκάζετ'  
 ἂν ἡ σὺ παρ' ὧν λήψει δίκην ἐτοίμους εἶχες, εἰ  
 25 δὲ μὴ κατέστησεν, εἰς τὸ οἶκημα ἂν ᾗει. νῦν δὲ  
 κοινωσάμενοι τὸ πρᾶγμα, ὁ μὲν διὰ σοῦ τὴν<sup>6</sup> γε-  
 γονυῖαν ἔκδειαν οὐκ ἀποδώσειν ἡμῖν οἴεται, σὺ δ'  
 ἐκείνου κατηγορῶν τῶν ἡμετέρων κύριος γενήσεσθαι.  
 τεκμήριον δέ· ἐγὼ μὲν γὰρ αὐτὸν κλητεῦσω<sup>7</sup>, σὺ δ'  
 30 οὔτε κατηγογῶσας οὔτε νῦν κλητεύεις<sup>8</sup>.

Ἔτι<sup>8</sup> τοίνυν ἑτέρα τίς ἐστὶν ἐλπίς αὐτοῖς τοῦ  
 παρακρούεσθαι καὶ φενακιεῖν ὑμᾶς. αἰτιάσονται Δη-

<sup>κ</sup> ἔχῃ, Reiske,

<sup>1</sup> ἄνθρωπος, Reiske.

<sup>8</sup> κλητεύσεις, Reiske.

μοσθένην, καὶ ἐκείνῳ ἐμὲ πιστεύοντα φήσουσιν  
 ἐξάγειν τουτονί, ὑπολαμβάνοντες τῷ ῥήτορα καὶ  
 γνώριμον εἶναι ἐκείνον πιθανὴν<sup>9</sup> ἔχειν τὴν αἰτίαν.  
 ἐμοὶ δ' ἐστὶ μὲν<sup>10</sup>, ὧ ἄνδρες Ἀθηναῖοι, Δημοσθένης  
 οἰκέϊος γένει, καὶ πάντας ὑμῖν ὁμνυμι τοὺς θεοὺς  
 ἢ μὴν ἐρεῖν τάληθῇ, προσελθόντος δ' αὐτῷ μου καὶ  
 παρῆναι καὶ βοηθεῖν ἀξιούντος, εἴ τι ἔχοι, Δήμων,  
 ἔφη, ἐγὼ ποιήσω μὲν ὡς ἂν σὺ κελεύης· καὶ<sup>10</sup> γὰρ  
 ἂν δεινὸν εἴη· δεῖ μέντοι καὶ τὸ σαντοῦ καὶ τοῦμόν  
 10 λογίσασθαι. ἐμοὶ συμβέβηκεν, ἀφ' οὗ περὶ τῶν 89  
 κοινῶν λέγειν ἡρξάμην, μηδὲ πρὸς ἐν πρᾶγμα ἴδιον  
 προσελθλυθῆναι· ἀλλὰ<sup>1</sup> καὶ τῆς πολιτείας αὐτῆς τὰ  
 τοιαῦτα ἐξέστηκα.....

## ΠΡΟΣ ΑΠΑΤΟΥΡΙΟΝ ΠΑΡΑΓΡΑΦΗ.

15

### ΥΠΟΘΕΣΙΣ.

Ὁ παραγραφόμενος τὴν δίκην ἰδίᾳ μὲν τινα συμ-  
 βόλαια πρὸς Ἀπατούριον ἔχων ἄφεςιν ἐπ' ἐκείνοις  
 καὶ ἀπαλλαγὴν ἐποίησατο, νῦν δὲ ὑπὲρ Παρμένον-  
 τος ἐγκαλεῖται καὶ ἀπαιτεῖται χρήματα. ὁ γὰρ  
 20 Παρμένων πολίτης μὲν ἦν τοῦ ἐμπορίου τοῦ Ἀπατου-  
 ρίου Βυζάντιος, φυγὴν δὲ ἐκ τῆς πατρίδος κατεδεδί-  
 καστο. φίλῳ δὲ κατ' ἀρχὰς τῷ Ἀπατουρίῳ χρώμενος,  
 ὕστερον προσκρούσας<sup>2</sup> εἰς δίκας ἦλθε, καὶ ἐδίωκε τὸν  
 Ἀπατούριον πληγῶν τε καὶ βλάβης<sup>3</sup>, κακείνός αὐθις  
 25 τῷ Παρμένοντι δίκην ἀντέλαχεν. ὁ μὲν οὖν Ἀπα-  
 τούριος ἐνὶ διαιτητῇ τὸ πρᾶγμα ἐπιτραπήναι φησιν  
 Ἀριστοκλεί, κακείνουν καταγνῶναι τοῦ Παρμένοντος·  
 διόπερ ἐπὶ τοῦτον ἵκει τὸν νῦν παραγραφόμενον

<sup>10</sup> Reiske omits μὲν.

τὴν δίκην, ἐγγυητὴν τοῦ Παρμένοντος γεγενῆσθαι  
 φάσκων. ὁ δὲ οὐδὲν τούτων ὁμολογεῖ, ἀλλὰ πρῶ-  
 τον μὲν φησι τρισὶν αὐτοὺς ἐπιτρέψαι διαιτηταῖς,  
 οὐχ ἐνὶ τῷ Ἀριστοκλεῖ, ἔπειτα ἐγγυητὴν τοῦ Παρ-  
 5 μένοντος ἐν ταῖς συνθήκαις Ἀρχιππον γραφῆναι,  
 κακείνας δὲ ἀφανισθῆναι τὰς συνθήκας κακουργίᾳ  
 τοῦ Ἀπατουρίου, πείσαντος τὸν Ἀριστοκλέα τὸν  
 ἔχοντα αὐτὰς μὴ κομίζειν εἰς μέσον, ἀλλὰ λέγειν 892  
 ὡς ἀπολώλεκε τὸ γραμματεῖον καθεύδων ὁ παῖς·  
 0 ἐτέρας δὲ οὐκέτι γραφῆναι συνθήκας, οὐδὲ ἐπιτρα-  
 πῆναι τὸ πρᾶγμα διαιτητῇ, τῆς μὲν πρότερον  
 ἀναιρεθείσης τῇ τῶν συνθηκῶν ἀπωλείᾳ, δευτέρας  
 δὲ οὐκέτι συμβαθείσης αὐτοῖς· τὸν δὲ Ἀριστοκλέα  
 παρὰ πάντα τὰ δίκαια κατὰ τοῦ Παρμένοντος ἀπο-  
 5 φήνασθαι οὐκέτ' <sup>1</sup> ὄντα διαιτητὴν, καὶ ταῦτα ἀπο-  
 δημῶντος τε τοῦ Παρμένοντος κατὰ συμφορὰν με-  
 γάλην καὶ ἀπηγορευκότος αὐτῷ μὴ διαιτᾶν. ταῦτά  
 τε οὖν ὁ τὴν δίκην φεύγων προτείνεται τὰ δίκαια,  
 καὶ παραγράφεται τὸν ἀγῶνα, λέγων ἐπὶ μὲν τοῖς  
 10 γενομένοις αὐτῷ πρὸς Ἀπατούριον συμβολαίοις ἄφε-  
 σιν ὑπάρξαι, ὕστερον δὲ οὐδὲν ἔτι γεγενῆσθαι συμ-  
 βόλαιον, περὶ δὲ τῶν τοιούτων τοὺς νόμους μὴ  
 δίδοναι δικάζεσθαι.

Τοῖς <sup>2</sup> μὲν ἐμπόροις, ὧ ἄνδρες Ἀθηναῖοι, καὶ τοῖς  
 15 ναυκλήροις κελεύει ὁ νόμος εἶναι τὰς δίκας πρὸς  
 τοὺς θεσμοθέτας, εἴαν τι ἀδικῶνται ἐν τῷ ἐμπορίῳ  
 ἢ ἐνθένδε ποι πλείοντες ἢ ἐτέρωθεν δεῦρο, καὶ τοῖς  
 ἀδικοῦσι δεσμὸν ἔταξε τούπιτίμιον, ἕως ἂν ἐκτίσω-  
 σιν ὃ τι ἂν αὐτῶν καταγνωσθῇ, ἵνα μηδεὶς ἀδικῇ  
 10 μηδένα τῶν ἐμπόρων εἰκῇ. τοῖς δὲ περὶ τῶν μὴ γε-  
 νομένων συμβολαίων εἰς κρίσιν καθισταμένοις ἐπὶ  
 τὴν παραγραφὴν καταφεύγειν ἔδωκεν ὁ νόμος, ἵνα 893

μηδεὶς<sup>α</sup> συκοφαντῆται, ἀλλ' αὐτοῖς<sup>1</sup> τοῖς τῇ ἀλη-  
 θείᾳ ἀδικουμένοις τῶν ἐμπόρων καὶ τῶν ναυκλήρων  
 αἱ δίκαι ὥσιν. καὶ πολλοὶ ἤδη τῶν φευγόντων ἐν  
 ταῖς ἐμπορικαῖς παραγραφάμενοι κατὰ τὸν νόμον  
 5 τοῦτον καὶ εἰσελθόντες εἰς ὑμᾶς ἐξήλεγκαν τοὺς  
 δικαζομένους ἀδίκως ἐγκαλοῦντας καὶ ἐπὶ τῇ προ-  
 φάσει τοῦ ἐμπορεῦσθαι συκοφαντοῦντας. ὁ<sup>2</sup> μὲν οὖν  
 μετὰ τούτου μοι ἐπιβεβουλευκῶς καὶ τὸν ἀγῶνα  
 τουτονὶ κατεσκευακῶς προϊόντος τοῦ λόγου καταφα-  
 10 νῆς ὑμῖν ἔσται· ἐγκαλοῦντος δέ μοι Ἀπατούριου τὰ  
 ψευδῆ καὶ παρὰ τοὺς νόμους δικαζομένου, καὶ ὅσα  
 μὲν ἐμοὶ καὶ τούτῳ ἐγένετο συμβόλαια, πάντων  
 ἀπαλλαγῆς καὶ ἀφέσεως γενομένης, ἄλλου δὲ συμ-  
 βολαίου οὐκ ὄντος ἐμοὶ πρὸς τούτον, οὔτε ναυτικοῦ  
 15 οὔτ' ἐγγαίου, παρεγραψάμην τὴν δίκην μὴ εἰσα-  
 νώγιμον εἶναι κατὰ τοὺς νόμους τουτουσί.

## ΝΟΜΟΙ.

Ἵδς<sup>3</sup> τοίνυν παρὰ τοὺς νόμους τούτους εἴληχέ μοι  
 τὴν δίκην Ἀπατούριος καὶ τὰ ψευδῆ ἐγκέκληκεν, ἐκ  
 20 πολλῶν ὑμῖν τοῦτ' ἐπιδείξω. ἐγὼ γάρ, ὦ ἄνδρες  
 δικασταί, πολὺν ἤδη χρόνον ἐπὶ<sup>4</sup> τῆς ἐργασίας ὦν  
 τῆς κατὰ θάλατταν μέχρι μὲν τινος αὐτὸς ἐκινδύ-  
 νενον, οὐπω δ' ἔτη ἐστὶν ἑπτὰ ἀφ' οὗ τὸ μὲν πλεῖν  
 καταλέλυκα, μέτρια δ' ἔχων τούτοις<sup>5</sup> πειρῶμαι ναυ-  
 25 τικοῖς ἐργάζεσθαι. διὰ δὲ τὸ ἀφίχθαι πολλαχόσε  
 καὶ διὰ<sup>6</sup> τὸ εἶναί μοι τὰς διατριβὰς περὶ τὸ ἐμπό-  
 ριον γνωρίμως ἔχω τοῖς πλείστοις τῶν πλεόντων  
 τὴν θάλατταν. τούτοις<sup>7b</sup> δὲ τοῖς ἐκ Βυζαντίου καὶ  
 πάνυ οἰκείως χρῶμαι διὰ τὸ ἐνδιατριῖναι αὐτόθι.  
 30 ἔχοντας δέ μου οὕτως ὡς<sup>c</sup> λέγω, κατέπλευσαν δεῦρο 89.  
 τρίτον<sup>1</sup> ἔτος οὗτός τε καὶ πολίτης αὐτοῦ Παρμένων,

<sup>a</sup> μὴ συκοφαντῶνται, Reiske.<sup>b</sup> τούτων, Reiske.<sup>c</sup> ὡς ἐγὼ λέγω, Reiske

Βυζάντιος μὲν τὸ γένος, φυγὰς δ' ἐκέιθεν. προσι-  
 όντες δέ<sup>α</sup> μοι ἐν τῷ ἐμπορίῳ οὗτος καὶ ὁ Παρμένων  
 ἐμνήσθησαν περὶ ἀργυρίου. ἔτυχε δὲ οὗτος ὁ φεί-  
 λων ἐπὶ τῇ νηὶ τῇ αὐτοῦ τετταράκοντα μνᾶς, καὶ οἱ  
 5 χρήσται κατήπειγον αὐτὸν ἀπαιτοῦντες καὶ ἐνε-  
 βάτευον<sup>2</sup> εἰς τὴν ναῦν, εἰληφότες τῇ ὑπερμερίᾳ.  
 ἀπορουμένῳ δ' αὐτῷ μνᾶς μὲν δέκα ὁ Παρμένων  
 ὠμολόγησε δώσειν, τριάκοντα δὲ μνᾶς ἐδεῖτό μου  
 οὗτος σινεουπορήσαι<sup>3</sup>, αἰτιώμενος τοὺς χρήστας  
 10 ἐπιθυμοῦντας τῆς νεὸς διαβεβληκέναι αὐτὸν ἐν τῷ  
 ἐμπορίῳ, ἵνα κατὰσχῶσι τὴν ναῦν εἰς ἀπορίαν κατα-  
 στήσαντες τοῦ ἀποδοῦναι τὰ χρήματα. ἐμοὶ μὲν  
 οὖν οὐκ ἔτυχε παρὸν ἀργύριον, χρώμενος<sup>4</sup> δ' Ἡρα-  
 κλείδῃ τῷ τραπεζίτῃ ἔπεισα αὐτὸν δανεῖσαι τὰ  
 15 χρήματα λαβόντα ἐμέ<sup>5</sup> ἐγγυητήν. ἤδη δὲ τῶν  
 τριάκοντα μνῶν πεπορισμένων ἔτυχε προσκεκρουκῶς  
 τι τούτῳ ὁ Παρμένων ὠμολογηκῶς δ' εὐπορήσειν  
 αὐτῷ δέκα μνᾶς, καὶ τούτων δεδωκῶς τὰς τρεῖς,  
 διὰ τὸ προειμένον ἀργύριον ἠναγκάζετο<sup>5</sup> καὶ τὸ  
 20 λοιπὸν διδόναι. αὐτὸς μὲν οὖν διὰ τοῦτ' οὐκ ἠβού-  
 λετο ποιήσασθαι τὸ συμβόλαιον, ἐμέ δ' ἐκέλευε  
 πρᾶξαι ὅπως αὐτῷ ὡς ἀσφαλέστατα ἔξει. λαβὼν  
 δ' ἐγὼ τὰς ἑπτὰ μνᾶς παρὰ τοῦ Παρμένοντος, καὶ<sup>6</sup>  
 τὰς τρεῖς, ἃς προειλήφει οὗτος παρ' ἐκείνου, ἀν-  
 25 θομολογησάμενος πρὸς τοῦτον, ὥνῃν ποιοῦμαι τῆς  
 νεὸς καὶ τῶν παίδων, ἕως ἀποδοῖν τὰς τε δέκα μνᾶς,  
 ἃς δι' ἐμοῦ ἔλαβε, καὶ τὰς τριάκοντα, ὧν κατέστησεν  
 ἐμέ ἐγγυητὴν τῷ τραπεζίτῃ. καὶ ὡς ἀληθῆ λέγω, 89!  
 ἀκούσατε τῶν μαρτυριῶν.

## ΜΑΡΤΥΡΙΑΙ.

30 Τὸν<sup>1</sup> μὲν τρόπον τοῦτον ἀπῆλλαξε τοὺς χρή-  
 στας Ἀπατούριος οὗτος. οὐ πολλῷ δὲ χρόνῳ

<sup>α</sup> δ' ἐμοί, Reiske, Bekker.

<sup>ε</sup> με, Reiske.

μετὰ ταῦτα τῆς τραπεζῆς ἀνασκευασθείσης<sup>2</sup> καὶ τοῦ  
 Ἡρακλείδου κατ' ἀρχὰς κεκρυμμένον, ἐπιβουλεύει  
 οὗτοσί τοὺς τε παῖδας ἐκπέμψαι Ἀθήνηθεν καὶ τὴν  
 ναῦν ἐξορμίσαι ἐκ τοῦ λιμένος. ὅθεν ἐμοὶ πρὸς  
 5 τοῦτον ἡ πρώτη διαφορά ἐγένετο. αἰσθόμενος γὰρ  
 ὁ Παρμένων ἐξαγομένων τῶν παίδων ἐπιλαμβάνεται  
 καὶ τὴν ναῦν κατεκώλυσεν αὐτὸν ἐξορμίζειν, καὶ  
 μεταπεμψάμενος ἐμέ λέγει τὸ πρᾶγμα. ὥς δ'  
 ἤκουσα, τοῦτον μὲν ἀνοσιώτατον ἡγήσάμην εἶναι  
 10 τῷ ἐπιχειρήματι, ἐσκοπούμην δὲ ὅπως αὐτός τε  
 ἀπολυθῆσομαι τῆς ἐγγύης τῆς ἐπὶ τὴν τράπεζαν,  
 καὶ ὁ ξένος<sup>3</sup> μὴ ἀπολεῖ ἃ δι' ἐμοῦ τούτῳ ἐδάνεισεν.  
 καταστήσας δὲ φύλακας τῆς νεὸς διηγησάμην τοῖς<sup>4</sup>  
 ἐγγυηταῖς τῆς τραπεζῆς τὴν πράξιν, καὶ παρέδωκα  
 15 τοῖς ἐνέχυρον, εἰπὼν αὐτοῖς ὅτι<sup>5</sup> δέκα μναὶ ἐνείησαν  
 τῷ ξένῳ ἐν τῇ νηί. ταῦτα δὲ πράξας κατηγγύησα<sup>7</sup>  
 τοὺς παῖδας, ἵν' εἴ τις ἔνδεια γίγνοιτο, τὰ ἑλλεί-  
 ποντα ἐκ τῶν παίδων εἴη. καὶ ἐγὼ μὲν ἐπειδὴ  
 ἔλαβον τοῦτον ἀδικοῦντα, διωρθωσάμην ὑπὲρ ἑμαυ-  
 20 τοῦ καὶ τοῦ ξένου· ὁ δ' ὥσπερ ἀδικούμενος, ἀλλ' οὐκ  
 ἀδικῶν ἐμέμφετό μοι, καὶ ἡρώτα εἰ οὐχ ἰκανόν μοι  
 εἶη αὐτῷ<sup>8</sup> ἀπολυθῆναι τῆς ἐγγύης τῆς πρὸς τὴν  
 τράπεζαν, ἀλλὰ καὶ ὑπὲρ τοῦ ἀργυρίου τοῦ Παρμέ-  
 25 νοντος τὴν ναῦν κατεγγυῶ καὶ τοὺς παῖδας, καὶ  
 ὑπὲρ ἀνθρώπου φυγάδος ἀπεχθανοίμην αὐτῷ. ἐγὼ 896  
 δὲ τὸν πιστεύσαντα ἑμαυτῷ τοσούτῳ ἔφην ἦττον  
 ἂν περιδεῖν, ὅσῳ φυγὰς ὢν καὶ ἀτυχῶν ἡδίκητο  
 ὑπὸ τούτου. πάντα δὲ ποιήσας καὶ εἰς πᾶσαν  
 ἀπέχθειαν τούτῳ ἐλθὼν μόλις εἰσέπραξα τὸ ἀρ-  
 30 γύριον, πραθείσης τῆς νεὸς τετταράκοντα μνῶν,  
 ὅσου περ ἡ<sup>1</sup> θέσις ἦν. ἀποδοθειςῶν δὲ τῶν τριάκοντα  
 μνῶν ἐπὶ τὴν τράπεζαν καὶ τῶν δέκα μνῶν<sup>1</sup> τῷ

<sup>1</sup> [μνῶν], Reiske.

Παρμένοντι, ἐναντίον πολλῶν μαρτύρων τὰς τε συγγραφὰς ἀνειλόμεθα, καθ' ἃς ἐδανείσθη τὰ χρήματα, καὶ τῶν συναλλαγμάτων ἀφείμην καὶ ἀπηλλάξαμεν ἀλλήλους, ὥστε μήτε τούτῳ πρὸς ἐμὲ μήτ' 5 ἐμοὶ πρὸς τοῦτον πρᾶγμ' εἶναι μηδέν. καὶ ὡς ἀληθῆ λέγω, ἀκούσατε τῶν μαρτυριῶν.

### MARTYRIAΙ.

Μετὰ<sup>2</sup> ταῦτα τοίνυν ἐμοὶ μὲν οὔτε μεῖζον οὔτ' ἔλαττον πρὸς αὐτὸν συμβόλαιον γέγονεν· ὁ δὲ Παρ- 0 μένων ἐδικάζετο τούτῳ τῶν τε πληγῶν ὧν ἔλαβεν ὑπὸ τούτου, ὅτε τῶν παίδων ἐξαγομένων ἐπελάβετο, καὶ ὅτι τοῦ εἰς Σικελίαν πλοῦ διὰ τοῦτον κατεκωλύθη. ἐνεστηκυίας δὲ τῆς δίκης δίδωσιν<sup>3</sup> ὁ Παρμένων ὄρκον τούτῳ περὶ τινων ἐγκλημάτων· καὶ οὗτος ἐδέ- 5 ξατο, ἐπιδιαθέμενος<sup>4</sup> ἀργύριον, εἰ μὴ ὁμόσῃ τὸν ὄρκον. καὶ ὅτι ἀληθῆ λέγω, λαβέ μοι τὴν μαρτυρίαν.

### MARTYRIA.

Δεξάμενος<sup>4</sup> τοίνυν τὸν ὄρκον, εἰδὼς ὅτι πολλοὶ 20 αὐτῷ<sup>5</sup> συνείσονται ἐπιорκήσαντι, ἐπὶ μὲν τὸ ὁμόσαι οὐκ ἀπήντα, ὡς δὲ δίκη λύσων τὸν ὄρκον προσκαλεῖται τὸν Παρμένοντα. ἐνεστηκυῶν δ' αὐτοῖς τῶν δικῶν πεισθέντες ὑπὸ τῶν παρόντων εἰς ἐπιτροπὴν 89 ἔρχονται, καὶ γράψαντες συνθήκας ἐπιτρέπουσιν ἐνὶ 25 μὲν διαιτητῇ κοινῷ Φωκρίτῳ πολίτῃ αὐτῶν<sup>h</sup>, ἓνα δ' ἐκάτερος παρεκαθίσατο, οὗτος μὲν Ἀριστοκλέα Οἰήθεν, ὁ δὲ Παρμένων ἐμέ. καὶ συνέθεντο ἐν ταῖς συνθήκαις, εἰ μὲν τρεῖς ὄντες ὁμογνώμονες γενοίμεθα, ταῦτα κύρια εἶναι αὐτοῖς<sup>i</sup>, εἰ δὲ μὴ, οἷς οἱ δύο γυνοίη-

<sup>2</sup> αὐτῷ, Reiske.

<sup>h</sup> αὐτῶν, Reiske,

<sup>i</sup> αὐτοῖς, Reiske, Bekker.

σαν, τούτοις ἐπάναγκες εἶναι ἐμμένειν. συνθέμενοι δὲ ταῦτα ἐγγυητὰς τούτων ἀλλήλοις κατέστησαν, οὗτος μὲν ἐκείνῳ τὸν Ἀριστοκλέα, ὁ δὲ Παρμένων τούτῳ Ἀρχιππον Μυρρίνουσιον. καὶ τὸ μὲν πρῶτον 5 ἐτίθεντο τὰς συνθήκας παρὰ τῷ Φωκρίτῳ, εἶτα κελεύσαντος τοῦ Φωκρίτου παρ' ἄλλῳ τινὶ θέσθαι τίθενται παρὰ τῷ Ἀριστοκλεῖ. καὶ ὡς ἀληθῆ λέγω, ἀκούσατε τῶν μαρτυριῶν.

MARTYRIAΙ.

- 10 "Οτι<sup>1</sup> μὲν ἐτέθησαν αἱ συνθήκαι παρὰ Ἀριστοκλεῖ καὶ ἡ ἐπιτροπὴ ἐγένετο Φωκρίτῳ καὶ Ἀριστοκλεῖ καὶ ἐμοὶ, οἱ εἰδότες ταῦτα μεμαρτυρήκασιν ὑμῖν. δέομαι δὲ ὑμῶν, ὧ ἄνδρες δικασταί, τὰ μετὰ ταῦτα πραχθέντ' ἀκούσαί μου· ἐντεῦθεν γὰρ ἔσται φανερόν 15 ὑμῖν ὅτι συκυφαντοῦμαι ὑπὸ τουτουῖ Ἀπατουρίου. ἐπεὶ γὰρ ἤσθετο ὁμογνώμονας ὄντας ἐμέ καὶ τὸν Φώκριτον καὶ ἔγνω καταδικαίοντάς ἡμᾶς ἑαυτοῦ, λῦσαι βουλόμενος τὴν ἐπιτροπὴν διαφθεῖραι τὰς συνθήκας ἐπεχείρησε μετὰ τοῦ ἔχοντος αὐτάς. καὶ<sup>2</sup> 20 ἦλθεν ἐπὶ τὸ διαμφισβητεῖν<sup>k</sup> ὡς αὐτῷ<sup>1</sup> διατητῆς εἶη ὁ Ἀριστοκλῆς, τὸν δὲ Φώκριτον καὶ ἐμέ οὐδενὸς κυρίους ἔφησεν<sup>m</sup> εἶναι ἀλλ' ἢ τοῦ συνδιαλῦσαι<sup>3</sup>. ἀγανακτήσας δὴ τῷ λόγῳ ὁ Παρμένων ἤξιον τὸν Ἀριστοκλέα ἐκφέρειν τὰς συνθήκας, οὐ<sup>1</sup> πόρρῳ φάσκων 898 25 εἶναι τὸν ἔλεγχον, εἴ τι κακουργοῖτο περὶ τὰ γράμματα· γεγραφέναι γὰρ αὐτὰ οἰκέτην ἑαυτοῦ. ὁμολογήσας δ' ἐξοίσειν τὰς συνθήκας ὁ Ἀριστοκλῆς ἐμφανεῖς μὲν οὐπω<sup>n</sup> καὶ τήμερον ἐνῆνοχεν, εἰς δὲ τὴν ἡμέραν τὴν συγκεκριμένην ἀπαντήσας εἰς τὸ Ἑφαι- 30 στεῖον προὔφασίζετο ὡς ὁ παῖς περιμένων αὐτὸν ἀπολωλεκῶς εἶη τὸ γραμματεῖον καθεύδων. ὁ δὲ

<sup>k</sup> ἀμφισβητεῖν, Bekker,

<sup>m</sup> ἔφη, Reiske.

<sup>1</sup> αὐτῷ, Reiske.

<sup>n</sup> οὐδέπω, Reiske.

ταῦτα κατασκευάζων<sup>ο</sup> ἦν Ἐρυζίας ὁ ἰατρός ὁ ἐκ Πειραιῶς, οἰκείως ἔχων τῷ Ἀριστοκλεῖ· ὅσπερ καὶ ἐμοὶ τοῦ ἀγῶνος αἰτιός ἐστι, διαφόρως ἔχων. καὶ ὡς ἐσκήψατο<sup>3</sup> ἀπολωλεκέναι ὁ Ἀριστοκλῆς, ἀκούσατε  
5 τῶν μαρτυριῶν.

## ΜΑΡΤΥΡΙΑΙ.

Ἐντεῦθεν<sup>3</sup> τοίνυν τὸ μὲν τῆς ἐπιτροπῆς ἐλέλυτο, ἠφανισμένων τῶν συνθηκῶν καὶ τῶν διαιτητῶν ἀντι-  
λεγομένων·<sup>4</sup> ἐπιχειροῦντες δὲ γράφειν ἑτέρας συν-  
10 θήκας περὶ τούτων διηνέχθησαν, οὗτος μὲν ἀξιῶν τὸν Ἀριστοκλέα, ὁ δὲ Παρμένων τοὺς τρεῖς, οἷσπερ καὶ ἐξ ἀρχῆς ἡ ἐπιτροπὴ ἐγένετο. οὐ γραφείσων δ' ἑτέρων συνθηκῶν, τῶν δ' ἐξ ἀρχῆς ἀφανισθεισῶν εἰς τοῦτ' ἦλθεν ἀναιδεΐας ὁ ἠφανικῶς τὰς συνθήκας ὥστε  
15 εἰς ὧν ἀποφανεῖσθαι<sup>5</sup> ἔφη τὴν δίκαιαν. παρακαλέσας δ' ὁ Παρμένων μάρτυρας ἀπέειπε τῷ Ἀριστοκλεῖ μὴ ἀποφαίνεσθαι παρὰ τὰς συνθήκας καθ' αὐτοῦ ἄνευ τῶν συνδιατητῶν. καὶ ὧν ἐναντίον ἀπέειπεν, ἀκούσατε τῆς μαρτυρίας.

20

## ΜΑΡΤΥΡΙΑ.

Μετὰ<sup>6</sup> ταῦτα τοίνυν τῷ<sup>ρ</sup> Παρμένοντι συνέβη συμφορὰ δεινὴ, ᾧ ἄνδρες δικασταί, οἰκοῦντος γὰρ 89 αὐτοῦ ἐν Ὀφρυνίῳ<sup>1</sup> διὰ τὴν οἰκοθεν φυγὴν, ὅτε ὁ σεισμός<sup>2</sup> ἐγένετο ὁ περὶ Χερρόνησον, συμπεσουσῆς  
25 αὐτῷ τῆς οἰκίας ἀπώλοντο ἡ γυνὴ καὶ οἱ παῖδες. καὶ ὁ μὲν πυθόμενος τὴν συμφορὰν ᾤχετο ἐνθένδε ἀποπλέων· ὁ δ' Ἀριστοκλῆς, διαμαρτυραμένου τοῦ ἀνθρώπου ἐναντίον μαρτύρων μὴ ἀποφαίνεσθαι καθ' αὐτοῦ ἄνευ τῶν συνδιατητῶν, ἀποδημήσαντος τοῦ  
30 ἀνθρώπου διὰ τὴν συμφορὰν ἐρήμην κατ' αὐτοῦ ἀπε-

<sup>ο</sup> συγκατασκευάζων ἐστίν, Reiske.<sup>ρ</sup> τῷ μὲν, Reiske.

φήνατο τὴν δίκαιαν. καὶ ἐγὼ μὲν καὶ ὁ Φώκριτος  
ἐν ταῖς αὐταῖς συνθήκαις γεγραμμένοι, ὅτι ἡμφε-  
σβήτησεν οὗτος μὴ<sup>3</sup> εἶναι ἡμᾶς διαιτητὰς αὐτῷ<sup>α</sup>,  
ἐφύγομεν τὸ διαιτῆσαι· ὁ δ' οὐ μόνον ἀμφισβητη-  
5 θείς, ἀλλὰ καὶ ἀπορρήθην αὐτῷ, οὐδὲν ἥττον τὴν  
ἀπόφασιν<sup>4τ</sup> ἐποιήσατο. ὁ οὐθ' ὑμῶν οὔτε τῶν ἄλ-  
λων Ἀθηναίων ὑπομεῖναι ἂν<sup>5</sup> ποιῆσαι οὐδεῖς.

Ἄ<sup>5</sup> μὲν οὖν περὶ τὴν ἀφάνισιν τῶν συνθηκῶν καὶ  
περὶ τὴν γνῶσιν τῆς διαίτης Ἀπατουρίφ καὶ τῷ διαι-  
10 τητῇ πέπρακται, ἐάν ποτε σωθῇ ὁ ἠδικημένος, δίκην  
παρ' αὐτῶν λήψεται· ἐπειδὴ δ' εἰς τοῦτο ἐλήλυθεν  
Ἀπατούριος ἀναιδείας ὥστε καὶ μοὶ δικάζεται, ἐπιφέ-  
ρων αἰτίαν ὡς ἀνεδεξάμην ἐκτίσειν, εἴ τι καταγνω-  
σθῇ τοῦ Παρμένοντος, καὶ φησιν ἐγγραφῆναι εἰς  
15 τὰς συνθήκας ἐμὲ ἐγγυητὴν, ὥσπερ<sup>6</sup> προσήκει τοι-  
αύτην αἰτίαν ἀπολύσασθαι. πρῶτον μὲν ὑμῖν μάρτυ-  
ρας παρασχέσομαι ὡς οὐκ ἠγγυησάμην ἐγὼ τὸν  
Παρμένοντα, ἀλλ' Ἀρχιππος Μυρρίνουσιος, ἔπειτα  
πειράσομαι καὶ ἐκ τεκμηρίων τὴν ἀπολογίαν ποιή-  
20 σασθαι, ὃ ἄνδρες δικασταί. πρῶτον μὲν οὖν τὸν  
χρόνον ἐμαυτῷ ἠγοῦμαι μάρτυρα εἶναι τοῦ μὴ ἀλη- 91  
θές τὸ ἐγκλημα εἶναι. ἡ μὲν γὰρ ἐπιτροπὴ τούτῳ  
πρὸς τὸν Παρμένοντα τρίτον ἔτος γέγονε καὶ ἡ  
γνώσις τοῦ Ἀριστοκλέους· αἱ<sup>1</sup> δὲ λήξεις τῶν δικῶν  
25 τοῖς ἐμπόροις ἔμμηνοί εἰσιν ἀπὸ τοῦ βοηδρομιῶνος  
μέχρι τοῦ μουνυχιῶνος, ἵνα παραχρῆμα τῶν δικαίων  
τυχόντες ἀνάγωνται. εἰ δὴ<sup>2</sup> τῇ ἀληθείᾳ ἐγγυητὴς  
ἦν τοῦ Παρμένοντος, διὰ τί πρῶτον μὲν οὐκ εὐθὺς  
τῆς γνώσεως γενομένης ἐπράττετο<sup>3</sup> τὴν ἐγγυήν;  
30 οὐ γὰρ δὴ τοῦτό γ' αὐτῷ ἐνι εἰπεῖν, ὡς διὰ τὴν πρὸς  
ἐμὲ φιλίαν ὥκνει μοι ἀπεχθέσθαι. αὐτὸς<sup>3</sup> γὰρ εἰσε-

<sup>α</sup> αὐτῷ, Reiske, Bekker.

<sup>5</sup> ἂν [τις], Reiske.

<sup>1</sup> ἀπόφασιν, Reiske.

<sup>2</sup> δέ, Reiske.

πέπρακτο ὑπ' ἐμοῦ πρὸς ἔχθραν τὰς χιλίας δραχμὰς  
 τὰς τοῦ Παρμένοντος, καὶ ὅτ' ἐξώριζε τὴν ναῦν ἐπι-  
 βουλευὼν ἀποδρᾶναι καὶ ἀποστερησαὶ τὸ ἐπὶ τὴν  
 τράπεζαν χρέως<sup>u</sup>, ἐκωλύθη ὑπ' ἐμοῦ. ὥστε εἰ ἦν  
 5 ἐγγεγυνημένος ἐγὼ τὸν Παρμένοντα, οὐκ ἂν τρίτῳ  
 ἔτει ὕστερον, ἀλλ' εὐθὺς τότε εἰσέπραττεν ἂν με  
 τὴν ἐγγύην. ἀλλὰ<sup>4</sup> νῆ Δία εὐπόρως διέκειτο, ὥστ'  
 ἐνεδέχετο αὐτῷ καὶ ὕστερον ἐπ' ἐμέ ἐλθεῖν, τότε δ'  
 ἀσχόλως<sup>5</sup> εἶχε περὶ ἀναγωγὴν ὦν. ἀλλὰ δι' ἀπο-  
 10 ρίαν ἐξειστήκει τῶν ἑαυτοῦ καὶ τὴν ναῦν ἐπεπρακεί.  
 εἰ δ' ἄρ' ἐμποδὼν τι αὐτῷ ἐγεγόνει τοῦ μὴ εὐθὺς  
 τότε δικάσασθαι, διὰ τί πέρυσιν ἐπιδημῶν μὴ ὅτι  
 δικάσασθαι, ἀλλ' οὐδ' ἐγκαλέσαι μοι ἐτόλμησεν;  
 καίτοι προσῆκεν, εἰ ὁ μὲν Παρμένων ὠφλήκει αὐτῷ  
 15 τὴν δίκην, ἐγὼ δ' ἐγγυητὴς ἦν, προσελθεῖν αὐτόν  
 μοι ἔχοντα μάρτυρας καὶ ἀπαιτῆσαι τὴν ἐγγύην, εἰ  
 μὴ προτέρυσιν, ἐν<sup>6</sup> τῷ ἐξελθόντι ἐνιαυτῷ· καὶ εἰ  
 μὲν αὐτῷ ἀπεδίδουν, κομίσασθαι, εἰ δὲ μὴ, δικάζε-  
 σθαι. τῶν γὰρ τοιούτων ἐγκλημάτων πρότερον τὰς 901  
 20 ἀπαιτήσεις ποιοῦνται ἅπαντες ἢ δικάζονται. οὐκ  
 ἔστι τοίνυν ὅστις μαρτυρήσει παραγενέσθαι, ὅπου  
 οὗτος ἢ πέρυσιν ἢ προτέρυσιν ἐδίκαστό μοι ἢ λόγον  
 ὄντιν οὖν ἐποιήσατο πρὸς ἐμέ περὶ ὧν νυνὶ μοι δικά-  
 ζεται. ὅτι δ' ἐπεδήμει πέρυσιν, ὅτε<sup>1</sup> αἱ δίκαι ἦσαν,  
 25 λαβέ μοι τὴν μαρτυρίαν.

### MARTYRIA.

Λαβέ δή μοι<sup>2</sup> καὶ τὸν νόμον, ὃς κελεύει τὰς ἐγ-  
 γύας ἐπετείουσ εἶναι. καὶ οὐ<sup>w</sup> δισχυρίζομαι τῷ  
 νόμῳ, ὡς οὐ δεῖ με δίκην δοῦναι, εἰ ἡγγυησάμην<sup>3x</sup>,  
 30 ἀλλὰ μάρτυρά μοι φημι τὸν νόμον εἶναι τοῦ μὴ

<sup>u</sup> χρέος, Reiske.

<sup>w</sup> οὐκ ἰσχυρίζομαι, Reiske, Bekker

<sup>x</sup> ἐγγυησάμην, Reiske here and below. ἐνεγυησάμην, Bekker here and below.

ἐγγυήσασθαι καὶ αὐτὸν τοῦτον· ἐδεδίκαστο γὰρ ἂν μοι τῆς ἐγγύης ἐν τῷ χρόνῳ τῷ ἐν τῷ νόμῳ γεγραμμένῳ.

ΝΟΜΟΣ.

- 5 Γενέσθω<sup>4</sup> τοίνυν καὶ τοῦτο ὑμῖν τεκμήριον τοῦ ψεύδεσθαι Ἀπατούριον· εἰ γὰρ ἡγγυησάμην ἐγὼ τούτῳ τὸν Παρμένοντα, οὐκ ἔστιν ὅπως τούτῳ μὲν ὑπὲρ ἐκείνου ἀπηχθόμην<sup>1</sup> πρόνοιαν ποιούμενος ὅπως μὴ ἀπολεῖ ἂ δι' ἐμοῦ τούτῳ συνέβαλεν<sup>2</sup>, αὐτὸς δ' 10 ἐμμαντὸν περιεῖδον ἂν ὑπ' ἐκείνου πρὸς τοῦτον ἐν ἐγγύῃ καταλειπόμενον. τίνα γὰρ ἐλπίδα ἔσχον τοῦτον ἀποσχέσεσθαι μου, ὃν αὐτὸς ἡναγκάκειν ἐκείνῳ τὰ δίκαια ποιῆσαι; καὶ τὴν ἐγγύην αὐτὸν εἰσπράξας τὴν εἰς τὴν τράπεζαν πρὸς ἀπέχθειαν, τί 15 προσεδόκων ὑπὸ τούτου αὐτὸς πείσεσθαι;
- Ἄξιον<sup>5</sup> τοίνυν<sup>6</sup> καὶ τοῦτ' ἐνθυμηθῆναι, ὧ ἄνδρες δικασταί, ὅτι οὐκ ἂν ποτε ἕξαρνος ἐγενόμην, εἰ ἐγγεγγυήμην<sup>6</sup>. πολὺ γὰρ ὁ λόγος ἦν μοι ἰσχυρότερος ὁμολογοῦντι τὴν ἐγγύην ἐπὶ τὰς συνθήκας ἰέναι, 20 καθ' ὅς καὶ ἡ ἐπιτροπὴ ἐγένετο. ὅτι μὲν γὰρ τρισὶν ἐπετράπη διαιτηταῖς, μεμαρτύρηται ὑμῖν· ὁπότε<sup>6</sup> δὲ μὴ ἔγνωσται ὑπὸ τῶν τριῶν, τί βουλόμενος ἡρνούμην ἂν τὴν ἐγγύην; μὴ γὰρ γενομένης 902 τῆς γνώσεως κατὰ τὰς συνθήκας οὐδ' ἂν ἐγὼ τῆς 25 ἐγγύης ὑπόδικος ἦν. ὥστε οὐκ ἂν ποτε, ὧ ἄνδρες δικασταί, παραλιπὼν τὴν οὐσάν μοι ἀπολογίαν, εἰ ἐνεγγυησάμην, ἐπὶ τὸ ἀρνεῖσθαι ἦλθον<sup>6</sup>.
- Ἄλλὰ<sup>1</sup> μὲν καὶ τοῦτο μεμαρτύρηται ὑμῖν, ὅτι ἐπειδὴ ἠφανίσθησαν αἱ συνθήκαι ὑπὸ τούτων, ἐξή- 30 τουν ἐτέρας γράφεσθαι οὗτος καὶ ὁ Παρμένων, ὥς

<sup>1</sup> ἀπηχθανόμην, Reiske.

<sup>2</sup> συνέβαλλον, Reiske.

<sup>3</sup> δὲ καὶ τοῦτ', Reiske.

<sup>4</sup> ἐνεγγεγγυήμην, Reiske.

<sup>5</sup> ἀπῆλθον, Reiske.

ἀκύρων ὄντων<sup>d</sup> αὐτοῖς τῶν πρότερον ὁμολογημένων. καίτοι ὅποτε περὶ τῆς μελλούσης γνώσεως γενήσεται ἑτέρας ἐνεχειροῦν συνθήκας γράφεσθαι, ἐπειδὴ αἱ ὑπάρχουσαι ἀπώλονται, πῶς ἐνὴν μὴ γραφείσων  
 5 συνθηκῶν ἑτέρων ἢ δίκαιαν γενέσθαι ἢ ἐγγύην; περὶ αὐτοῦ γὰρ τούτου διενεχθέντες οὐκ ἔγραψαν ἑτέρα γράμματα, ὁ μὲν ἀξιῶν ἓνα δαιτητὴν αὐτῷ<sup>e</sup> εἶναι, ὁ δὲ τρεῖς. ὅποτε δ' αἱ μὲν ἐξ ἀρχῆς συνθήκαι ἠφανίσθησαν, καθ' ἃς ἐμέ φησι γενέσθαι ἐγ-  
 10 γυητὴν, ἑτεραι δὲ μὴ ἐγράφησαν, πῶς ὀρθῶς ἂν ἐμοί<sup>f</sup> δικάζοιτο, καθ' οὗ μὴ ἔχει παρασχέσθαι συνθήκας;

Ἀλλὰ<sup>2</sup> μὴν καὶ ὡς ἀπηγόρευεν<sup>g</sup> ὁ Παρμένων τῷ Ἀριστοκλεῖ καθ' αὐτοῦ μὴ γιγνώσκειν ἄνευ τῶν  
 15 συνδαιτητῶν, μεμαρτύρηται ὑμῖν. ὅταν δὴ ὁ αὐτὸς ἠφανικῶς φαίνεται τὰ γράμματα καθ' ἃ ἔδει τὴν δίκαιαν γενέσθαι, καὶ ἄνευ τῶν συνδαιτητῶν παρὰ<sup>3</sup> τὴν ἀπορρήσιν φῆ δεδιητηκέναι, πῶς ἂν τούτῳ τῷ ἀνθρώπῳ πιστεύσαντες δικαίως ἐμέ ἀπολέσαιτε;  
 20 σκέψασθε γὰρ τοῦτ', ὦ ἄνδρες δικασταί, εἰ μὴ ἐμὲ νυνὶ, ἀλλὰ τὸν Παρμένοντα ἐδίωκεν Ἀπατούριος οὗτος, εἰσπράττων τὰς<sup>4</sup> εἴκοσι μνᾶς, ἰσχυρίζομενος 903  
 τῇ Ἀριστοκλέους γνώσει, ὁ δὲ Παρμένων παρῶν ἀπελογεῖτο ὑμῖν καὶ μάρτυρας παρείχετο, τοῦτο<sup>1</sup>  
 25 μὲν ὅτι οὐ μόνον τῷ Ἀριστοκλεῖ, ἀλλὰ τρίτῳ ἐπέτρεψεν, εἴθ' ὅτι ἀπείπεν αὐτῷ ἄνευ τῶν συνδαιτητῶν καθ' αὐτοῦ μὴ ἀποφαίνεσθαι, καὶ ὅτι ἀπολομένης αὐτῷ<sup>h</sup> τῆς γυναικὸς καὶ τῶν παίδων ὑπὸ τοῦ σεισμοῦ καὶ<sup>i</sup> ἐπὶ τηλικαύτην συμφορὰν  
 30 ἀπάραντος οἴκαδε ὁ τὰς συνθήκας ἠφανικῶς ἐρήμην αὐτοῦ<sup>k</sup> ἐν τῇ ἀποδημίᾳ κατέγνω τὴν δίκαιαν, ἔστιν

<sup>d</sup> αὐτοῖς ὄντων, Reiske.<sup>e</sup> αὐτῷ, Reiske. <sup>f</sup> μοι, Reiske.<sup>g</sup> ἀπηγόρευεν, Reiske.<sup>h</sup> αὐτῷ, Reiske, Bekker.<sup>i</sup> [καί], Reiske.<sup>k</sup> αὐτοῦ, Reiske, Bekker.

ὅστις ἂν ὑμῶν ταῦτα τοῦ Παρμένοντος ἀπολογου-  
 μένου τὴν οὕτω παρανόμως γνωσθεῖσαν δίαitan  
 κυρίαν ἔγνω εἶναι; μὴ γὰρ ὅτι<sup>1</sup> ἀμφισβητουμένων  
 ἀπάντων, ἀλλ' εἰ ἦσαν μὲν αἱ συνθήκαι, ὡμολογεῖτο  
 5 δ' εἰς εἶναι ὁ διαιτητὴς Ἀριστοκλῆς, μὴ ἀπέειπε δὲ ὁ  
 Παρμένων αὐτῷ καθ' αὐτοῦ μὴ διαitaν, ἀλλὰ συν-  
 ἔβη πρὶν ἢ τὴν ἀπόφασιν<sup>m</sup> γενέσθαι τῆς διαίτης  
 ἢ συμφορά τῷ ἀνθρώπῳ, τίς οὕτως ὡμός ἐστιν  
 ἀντίδικος ἢ διαιτητὴς ὃς οὐκ ἂν ἀνεβάλετο εἰς τὸ  
 10 ἐπίδημῆσαι τὸν ἄνθρωπον; εἰ δ' ὁ Παρμένων εἰς  
 λόγον καταστάς πανταχοῦ δικαιότερ' ἂν φαίνοιτο  
 λέγων τούτου, πῶς ἂν ὀρθῶς ἐμοῦ καταγιγνωσκοίτε,  
 ὃ τὸ παράπαν πρὸς τὸν ἄνθρωπον τουτονὶ μηδὲν  
 συμβόλαιόν ἐστιν.  
 15 Ὅτι<sup>2</sup> μὲν οὖν ἐγὼ μὲν ὀρθῶς τὴν παραγραφὴν  
 πεποίημαι, Ἀπατούριος δὲ τὰ ψευδῇ μοι ἐγκέκληκε  
 καὶ παρὰ τοὺς νόμους τὴν λῆξιν πεποιήται, ἐκ  
 πολλῶν οἶομαι ἐπιδεδεῖχθαι τοῦτο ὑμῖν, ὧ ἄνδρες  
 δικασταί· τὸ<sup>3</sup> δὲ κεφάλαιον πρὸς ἐμὲ οὐδ' ἐπιχει-  
 20 ρήσει λέγειν Ἀπατούριος, ὡς συνθήκαι τινες αὐτῷ  
 εἰσίν. ὅταν δὲ λέγῃ ψευδόμενος ὡς ἐν ταῖς πρὸς 904  
 τὸν Παρμένοντα συνθήκαις ἐνεγράφη ἐγγυητὴς,  
 ἀπαιτεῖτε αὐτὸν τὰς συνθήκας. καὶ ἐνταῦθ' αὐτῷ  
 ἀπαντᾶτε, ὅτι πάντες ἄνθρωποι, ὅταν πρὸς ἀλλή-  
 25 λους ποιῶνται συγγραφάς, τούτου ἕνεκα σημενόμε-  
 νοι τίθενται παρ' οἷς ἂν<sup>n</sup> πιστεύσωσιν, ἵν' εἰάν τι  
 ἀντιλέγωσιν, ἢ αὐτοῖς ἐπανελθοῦσιν ἐπὶ τὰ γράμ-  
 ματα ἐντεῦθεν τὸν ἔλεγχον ποιήσασθαι περὶ τοῦ  
 ἀμφισβητουμένου. ὅταν δ' ἀφανίσας τις τὰκριβὲς  
 30 λόγῳ ἑξαπατᾶν πειράται, πῶς ἂν δικαίως πιστεύ-  
 οιο; ἀλλὰ νῆ Δία, τὸ ῥᾶστον τοῖς ἀδικεῖν καὶ

<sup>1</sup> ὅτι γε, Reiske.

<sup>m</sup> ἀπόφασιν, Reiske, Bekker.

<sup>n</sup> εἰάν πιστεύωσι, Reiske.

συκοφαντεῖν προηρημένοις, μαρτυρήσει τις αὐτῷ κατ' ἐμοῦ. εἰάν<sup>1</sup> οὖν ἐπισκῆψωμαι αὐτῷ, πόθεν τὴν ἀπόδειξιν ποιήσεται τοῦ ἀληθῆ μαρτυρεῖν; ἐκ τῶν συνθηκῶν; τοῦτο τοίνυν μὴ ἀναβαλλέσθω, ἀλλ' 5 ἥδη φερέτω ὁ ἔχων τὰς συνθήκας. εἰ δ' ἀπολωλέναι φησὶ, πόθεν<sup>2</sup> λάβω<sup>ο</sup> ἐγὼ τὸν ἑλεγχον καταψευδομαρτυρηθεῖς; εἰ μὲν γὰρ παρ' ἐμοὶ ἐτέθη τὸ γραμματεῖον, ἐνῆν<sup>3p</sup> αἰτιάσασθαι Ἀπατουρίῳ ὡς ἐγὼ διὰ τὴν ἐγγύην ἠφάνικα τὰς συνθήκας· εἰ δὲ παρὰ τῷ 0 Ἀριστοκλεί, διὰ τί, εἶπερ ἄνευ τῆς τούτου γνώμης ἀπολώλασιν αἱ συνθήκαι, τῷ μὲν λαβόντι αὐτὰς καὶ οὐ παρέχοντι οὐ δικάζεται, ἐμοὶ δ' ἐγκαλεῖ, μάρτυρα παρεχόμενος κατ' ἐμοῦ τὸν ἠφανικότα τὰς συνθήκας, ᾧ προσῆκεν αὐτὸν ὀργίζεσθαι, εἶπερ μὴ 5 κοινῇ μετὰ τούτου ἐκακοτέχνει;

Εἴρηται μοι τὰ δίκαια, ὅσα ἡδυνάμην. ὑμεῖς οὖν κατὰ τοὺς νόμους γιγνώσκετε τὰ δίκαια.

## ΠΡΟΣ ΦΟΡΜΙΩΝΑ ΠΕΡΙ ΔΑΝΕΙΟΥ.

### ΥΠΟΘΕΣΙΣ.

10 ΦΟΡΜΙΩΝ ἔμπορος δανείζεται παρὰ Χρυσίππου 90 μνᾶς εἴκοσι πλέων εἰς Βόσπορον. ἀφικόμενος δὲ ἐκείσε κατέλαβεν<sup>1</sup> ἀπρασίαν τῶν φορτίων ὧν ἐκόμιζε. διόπερ τοῦ ναυκλήρου Λάμπιδος ἀποπλεῖν βουλομένου Ἀθήναζε, καὶ κελεύοντος αὐτὸν ἐνθῆσθαι τῇ 15 νηὶ τὰ ἀγοράσματα τῶν χρημάτων τῶν παρὰ Χρυσίππου, τοῦτο γὰρ ἔφραζεν ἢ συγγραφῇ, οὔτε φόρτον τινὰ ἐνέθετο οὔτε ἀργύριον, ἀλλ' ἔφη πρὸς τὸν Λάμπιν ἀδυνάτως ἔχειν ἐν τῷ παρόντι ποιῆσαι

<sup>ο</sup> ἐγὼ λάβω, Reiske.

<sup>p</sup> ἐνῆν ἂν αἰτιάσθαι, Reiske.

ταῦτα, μικρὸν δ' ὕστερον ἐφ' ἐτέρας ἐκπλευσεῖσθαι  
 νεὸς ἅμα τοῖς χρήμασιν. ἡ μὲν οὖν τοῦ Λάμπιδος ναὺς  
 ἀναχθεῖσα<sup>α</sup> διαφθείρεται, καὶ μετ' ὀλίγων ὁ Λάμπις  
 ἐν τῷ λέμβῳ σώζεται, καὶ ἀφικόμενος Ἀθήναζε  
 5 μὲνι Χρυσίππῳ τὸ εὐτύχημα τοῦ Φορμίωνος, ὡς  
 ἀπελείφθη τε ἐν τῷ Βοσπόρῳ καὶ εἰς τὴν ναῦν οὐδὲν  
 ἐνέθετο. ὁ δὲ Φορμίων καταπλεύσας ὕστερον καὶ  
 τὸ ἀργύριον ἀπαιτούμενος τὸ μὲν πρῶτον, ὡς ἔφη  
 Χρυσίππος, καὶ ὀφείλειν ὁμολόγει καὶ ἀποδώσειν  
 10 ὑπὸσχέιτο, ἔπειτα ὡς ἀποδεδωκὼς Λάμπιδι μηδὲν  
 ὀφείλειν ἔλεγε· τὴν γὰρ συγγραφὴν κελεύειν πα-  
 θούσης τι κατὰ θάλατταν τῆς νεὸς ἀπηλλάχθαι τοῦ  
 ὀφλήματος τὸν Φορμίωνα. ἔλαχεν οὖν δίκην αὐτῷ ὁ  
 Χρυσίππος. ὁ δὲ παρεγράψατο<sup>α</sup>. καὶ Λάμπις ἐμαρ-  
 15 τύρησε παρὰ τῷ διαιτητῇ ὡς ἀπειληφώς· εἷη παρὰ  
 Φορμίωνος ἐν Βοσπόρῳ τὰ χρήματα καὶ ἀπολωλε-  
 κὼς μετὰ τῶν ἄλλων ἐν τῇ ναυαγίᾳ. πρότερον δὲ 906  
 τὰναντία τούτων εἰρήκει πρὸς Χρυσίππον, ὡς οὐδὲν  
 ὁ Φορμίων εἰς τὴν ναῦν ἐντέθεικεν. ἐλεγχόμενος δὲ  
 20 ἐπὶ τούτοις ὁ Λάμπις ἐξεστηκέναι<sup>1</sup> τότε ἔφησεν,  
 ὅτε ἐκεῖνα πρὸς τὸν Χρυσίππον ἔλεγε. τούτων  
 ἀκούσας ὁ διαιτητὴς καὶ μηδὲν<sup>2</sup> ἀποφηνάμενος εἰς τὸ  
 δικαστήριον τὸ πρᾶγμα πέπομφε. καὶ ὁ ἀγὼν ὀνό-  
 ματι μὲν ἐστὶ παραγραφικός, τῷ δὲ ἀληθεῖ<sup>β</sup> τὴν<sup>3</sup>  
 25 εὐθεῖαν γίγνεται· εὐ γὰρ καὶ ὁ ῥήτωρ κατ' ἀρχὰς  
 ἐπισημαίνεται ὡς οὐκ ἔστιν ὅλον παραγραφὴ τὸ  
 λέγειν πεποιηκέναι πάντα κατὰ τὰ συγκείμενα, ἀπο-  
 δίδόναι τὰ χρήματα Λάμπιδι, κελευούσης τοῦτο τῆς  
 συγγραφῆς καὶ ἀφίεισης<sup>γ</sup> ἐπὶ τοιούτῳ πάθει τὸ  
 30 ὀφλημα· ταῦτα γὰρ ἐστὶ τὴν εὐθυδικίαν ἀγωνιζο-  
 μένου καὶ τοῖς ἐπιφερομένοις ἐγκλήμασιν ἀπαντῶν-  
 τος, ἀλλ' οὐχί<sup>δ</sup> ἀναιρῶντος τὸν περὶ αὐτῶν ἀγῶνα

<sup>α</sup> συνεγράψατο, Reiske.<sup>β</sup> ἀληθεῖ παρὰ τὴν, Reiske, Bekker.<sup>γ</sup> ἀφεικίας, Reiske.<sup>δ</sup> οὐκ, Reiske.

καὶ τὴν εἰσαγωγὴν τῆς δίκης· παραγραφὴν<sup>4</sup> δέ, φησὶν, ὁ νόμος δίδωσι περὶ τῶν μὴ γενομένων ὅλας Ἀθήνησι μηδὲ εἰς Ἀθήνας συμβολαίων.

Τετήρηται δὲ ἐν τῷ λόγῳ ταύτον ὅπερ καὶ περὶ 5 τῶν κατὰ Νεαίρας, ὅτι μὴ ὑφ' ἐνὸς εἴρηται προσώπου, ἀλλ' ἐκατέρου διαστολὴ φανερά· ἐνταῦθα δὲ συγκέχυνται. δοκεῖ δὲ ἔμοιγε ἐντεῦθεν ὁ δεύτερος λέγειν “ἀκούσας τοίνυν ἡμῶν, ὦ ἄνδρες Ἀθηναῖοι, Θεόδotos πολλὰκίς, καὶ νομίσας τὸν Λάμπιν 10 ψευδῇ μαρτυρεῖν.” δῆλον δὲ ὅτι κοινωνοὶ τινές εἰσιν οἱ πρὸς τὸν Φορμίωνα ἀγνοιζόμενοι.

Δίκαια<sup>1</sup> ὑμῶν δεησόμεθ', ὦ ἄνδρες δικασταί, ἀκοῦ-901  
σαι ἡμῶν μετ' εὐνοίας ἐν τῷ μέρει λεγόντων, γνόν-  
τας, ὅτι ἰδιῶται παντελῶς ἔσμεν, καὶ πολὺν χρό-  
15 νον εἰς τὸ ὑμέτερον ἐμπόριον εἰσαφικνούμενοι καὶ  
συμβόλαια πολλοῖς συμβάλλοντες<sup>2</sup> οὐδεμίαν πώποτε  
δίκην πρὸς ὑμᾶς εἰσήλθομεν, οὐτ' ἐγκαλοῦντες οὐτ'  
ἐγκαλοῦμενοι ὑφ' ἑτέρων. οὐδ' ἂν νῦν, ἀκριβῶς ἴστε,  
ὦ ἄνδρες Ἀθηναῖοι, εἰ ὑπελαμβάνομεν ἀπολωλέναι  
20 τὰ χρήματα ἐπὶ<sup>3</sup> τῆς νεῶς τῆς διαφθαρείσης, ἃ  
ἐδανείσαμεν Φορμίωني, οὐκ ἂν ποτ' ἐλάχομεν τὴν  
δίκην αὐτῷ· οὐχ οὕτως ἡμεῖς ἀναίσχυντοὶ ἔσμεν οὐδ'  
ἄπειροι τοῦ ζημιούσθαι. πολλῶν<sup>2</sup> δ' ἡμᾶς κακίζόν-  
των, καὶ μάλιστα τῶν<sup>5</sup> ἐμπόρων τῶν ἐπιδημησάντων  
25 ἅμα Φορμίωني, οἵπερ τοῦτον ἥδεσαν οὐ συναπολέ-  
σαντα τὰ χρήματα ἐν<sup>h</sup> τῇ νηϊ, δεινὸν ἡγοούμεθ'  
εἶναι τὸ μὴ βοηθῆσαι ἡμῖν αὐτοῖς ἀδικουμένοις ὑπὸ  
τούτου.

Περὶ<sup>8</sup> μὲν οὖν τῆς παραγραφῆς βραχύς ἐστιν  
30 ὁ λόγος· καὶ γὰρ οὗτοι οὐ τὸ παράπαν συμβό-

<sup>2</sup> συμβαλόντες, Reiske.

<sup>5</sup> τῶν ἐν Βοσπόρῳ ἐπιδημησάντων.

<sup>f</sup> ὑπὸ, Reiske.

<sup>h</sup> τὰ ἐν, Reiske.

λαιον<sup>1</sup> ἔξαρνούνται μὴ γενέσθαι ἐν τῷ ἐμπορίῳ τῷ  
 ὑμετέρῳ, ἀλλ' οὐκέτι εἶναί φασι πρὸς ἑαυτοὺς οὐδὲν  
 συμβόλαιον· πεποιηκέναι γὰρ οὐδὲν ἔξω τῶν ἐν τῇ 90  
 συγγραφῇ γεγραμμένων. οἱ<sup>1</sup> μὲν<sup>k</sup> οὖν νόμοι, καθ'  
 5 οὓς ὑμεῖς δικασταὶ κάθησθε, οὐχ οὕτω λέγουσιν,  
 ἀλλ' ὑπὲρ μὲν τῶν μὴ γενομένων ὅλως συμβολαίων  
 Ἀθήνησι μὴδ' εἰς τὸ Ἀθηναίων ἐμπόριον παραγρά-  
 φεσθαι δεδώκασιν, εἰάν τις γενέσθαι μὲν ὁμολογῇ,  
 ἀμφισβητῇ δὲ ὡς πάντα πεποίηκε τὰ συγκεείμενα,  
 10 ἀπολογεῖσθαι κελεύουσιν εὐθυδικίαν εἰσιόντα, οὐ κα-  
 τηγορεῖν τοῦ διώκοντος. οὐ<sup>2</sup> μὴν ἀλλ' ἔγωγε ἐλπίζω  
 καὶ ἐξ αὐτοῦ τοῦ πράγματος δείξειν εἰσαγωγύμιον  
 τὴν δίκην οὖσαν. σκέψασθε δ' ὦ ἄνδρες Ἀθηναῖοι  
 τί ὁμολογεῖται παρ' αὐτῶν τούτων καὶ τί ἀντιλέ-  
 15 γεται· οὕτω γὰρ ἂν ἄριστα ἐξετάσαιτε. οὐκοῦν  
 δανείσασθαι μὲν τὰ χρήματα ὁμολογοῦσι καὶ συν-  
 θήκας ποιήσασθαι τοῦ δανείσματος, φασὶ δ' ἀπο-  
 δεδώκέναι τὸ χρυσίον Λάμπιδι τῷ Δίωνος οἰκέτῃ ἐν  
 Βοσπόρῳ. ἡμεῖς τοίνυν οὐ μόνον τοῦτο δεῖξομεν, ὡς  
 20 οὐκ ἀποδέδωκεν, ἀλλ' ὡς οὐδ' ἐξῆν αὐτῷ ἀποδοῦναι.  
 ἀναγκαῖον δ' ἐστὶ βραχέα τῶν ἐξ ἀρχῆς διηγήσα-  
 σθαι ὑμῖν.

Ἐγὼ<sup>3</sup> γάρ, ὦ ἄνδρες Ἀθηναῖοι, ἐδάνεισα Φορ-  
 μίῳ τούτῳ εἴκοσι μνᾶς ἀμφοτερόπλου<sup>4</sup> εἰς τὸν  
 25 Πόντον ἐπὶ<sup>5</sup> ἑτέρᾳ<sup>1</sup> ὑποθήκῃ, καὶ συγγραφὴν ἐθέ-  
 μιν παρὰ Κίττῳ τῷ τραπεζίτῃ. κελευούσης δὲ τῆς  
 συγγραφῆς ἐνθέσθαι εἰς τὴν ναῦν τετρακισχιλίων  
 φορτία ἄξια, πρᾶγμα ποιεῖ πάντων δεινότατον·  
 εὐθὺς γάρ ἐν τῷ Πειραιεῖ ἐπιδανεῖζεται λάθρα ἡμῶν  
 30 παρὰ μὲν Θεοδώρου τοῦ Φοίνικος τετρακισχιλίας  
 πεντακοσίας δραχμάς, παρὰ δὲ τοῦ ναυκλήρου Λάμ-  
 μιδος χιλίας. δεόν δ' αὐτὸν καταγοράσαι φορτία

<sup>1</sup> τὸ συμβόλαιον, Reiske.

<sup>k</sup> μέντοι νόμοι, Reiske.

<sup>1</sup> ἑτέρα γε, Reiske.

Ἀθήνηθεν μνῶν<sup>6</sup> ἑκατὸν δεκαπέντε, εἰ ἤμελλε τοῖς<sup>909</sup>  
 δανεισταῖς πᾶσι ποιήσῃν τὰ ἐν ταῖς συγγραφαῖς  
 γεγραμμένα, οὐ<sup>1</sup> κατηγόρασεν ἀλλ' ἡ πεντακισχι-  
 λίων καὶ πεντακοσίων δραχμῶν, σὺν τῷ ἐπισιτισμῷ<sup>5</sup>  
 ὀφείλει δ' ἑβδομήκοντα μνᾶς καὶ πέντε. ἀρχὴ μὲν  
 οὖν αὕτη ἐγένετο τοῦ ἀδικήματος, ὧ ἄνδρες Ἀθη-  
 ναῖοι· οὔτε γὰρ τὴν ὑποθήκην παρέσχευ οὔτε τὰ  
 χρήματ' ἐνέθετ' εἰς τὴν ναῦν, κελευούσης τῆς συγ-  
 γραφῆς ἐπάναγκες ἐντίθεσθαι. καὶ μοι λαβὲ τὴν  
 10 συγγραφὴν.

## ΣΥΓΓΡΑΦΗ.

Λαβὲ δὴ καὶ τὴν τῶν πεντηκοστολόγων<sup>2</sup> ἀπο-  
 γραφὴν καὶ τὰς μαρτυρίας.

## ΑΠΟΓΡΑΦΗ. ΜΑΡΤΥΡΙΑΙ.

15 Ἐλθὼν<sup>3</sup> τοῖνυν εἰς τὸν Βόσπορον, ἔχων ἐπιστο-  
 λὰς παρ' ἐμοῦ, ἃς ἔδωκ' αὐτῷ ἀπενεγκεῖν τῷ παιδί  
 τῷ ἐμῷ παραχεμάζοντι ἐκεῖ καὶ κοινωνῶ τινί, γρά-  
 ψας ἐν τῇ ἐπιστολῇ τό τε ἀργύριον ὃ ἐδεδανείκειν  
 καὶ τὴν ὑποθήκην, καὶ προστάξας, ἐπειδὰν τάχιστ'  
 20 ἐξαιρεθῇ τὰ χρήματα, ἐξετάζειν καὶ παρακολουθεῖν,  
 τὰς μὲν ἐπιστολάς οὐκ ἀποδίδωσιν οὗτος, ἃς ἔλα-  
 βε παρ' ἐμοῦ, ἵνα μηδὲν εἰδείησαν ὧν ἔπραττεν οὗτος,  
 καταλαβὼν δ' ἐν τῷ Βοσπόρῳ μοχθηρὰ τὰ πράγ-  
 ματα διὰ τὸν συμβάντα πόλεμον τῷ Παρεισάδῃ<sup>4</sup>  
 25 πρὸς τὸν Σκύθην καὶ τῶν φορτίων ὧν ἤγε πολλὴν  
 ἀπρασίαν, ἐν πάσῃ ἀπορίᾳ ἦν· καὶ γὰρ οἱ δανει-  
 σταὶ εἶχοντο αὐτοῦ οἱ τὰ ἑτερόπλοα δανείσαν-  
 τες. ὥστε τοῦ ναυκλήρου κελεύοντος αὐτὸν κατὰ  
 τὴν συγγραφὴν ἐντίθεσθαι τὰ ἀγοράσματα τῶν  
 30 ἐμῶν χρημάτων, εἶπεν οὗτος ὁ νῦν φάσκων ἀποδε-  
 δακέναι τὸ χρυσίον, ὅτι οὐκ ἂν δύναίτο ἐνθέσθαι

εἰς τὴν ναῦν τὰ χρήματα· ἄπρατον<sup>1</sup> γὰρ εἶναι τὸν 91C  
 ῥῶπον. κακεῖνον<sup>m</sup> μὲν ἐκέλευεν ἀνάγεσθαι· αὐτὸς  
 δ' ἐπειδὴν διαθῆται τὰ φορτία, ἐφ' ἐτέρας νεῶς  
 ἔφη ἐκπλεύσεσθαι. καὶ μοι λέγε ταύτην τὴν μαρτυ-  
 5 ρίαν.

## ΜΑΡΤΥΡΙΑ.

Μετὰ<sup>3</sup> ταῦτα τοίνυν, ὦ ἄνδρες Ἀθηναῖοι, οὗτος  
 μὲν ἐν τῷ Βοσπόρῳ καταλέλειπτο, ὃ δὲ Λάμπις  
 ἀναχθεὶς ἐναυάγησεν οὐ μακρὰν ἀπὸ τοῦ ἐμπορίου·  
 10 γεγεμισμένης γὰρ ἤδη τῆς νεῶς, ὡς ἀκούομεν, μάλ-  
 λον τοῦ δέοντος προσανέλαβεν ἐπὶ τὸ κατὰστροφμα  
 χιλίας βύρσας, ὅθεν καὶ ἡ διαφθορὰ τῇ νηὶ συνέβη.  
 καὶ αὐτὸς μὲν ἀπεσώθη ἐν τῷ λέμβῳ μετὰ τῶν  
 ἄλλων παίδων τῶν Δίωνος, ἀπώλεσε<sup>3</sup> δὲ πλεόν ἢ  
 15 τριακόσια σώματα χωρὶς<sup>4</sup> τῶν ἄλλων. πολλοῦ δὲ  
 πένθους ἐν τῷ Βοσπόρῳ ὄντος, ὡς ἐπύθοντο τὴν  
 διαφθορὰν τῆς νεῶς, εὐδαιμονίζον τὸν Φορμίωνα  
 πάντες τουτονὶ ὅτι οὔτε συνανήχθη οὔτ' ἐνέθετο  
 εἰς τὴν ναῦν οὐδέν. συνέβαινε δὲ παρὰ τε τῶν  
 20 ἄλλων καὶ<sup>5</sup> παρὰ<sup>n</sup> τούτου ὁ αὐτὸς λόγος. καὶ μοι  
 ἀνάγνωθι ταύτας τὰς μαρτυρίας.

## ΜΑΡΤΥΡΙΑΙ.

Αὐτὸς<sup>6</sup> μὲν τοίνυν ὁ Λάμπις, ᾧ φησὶν ἀποδεδω-  
 κέναι τὸ χρυσίον, τούτῳ γὰρ προσέχετε τὸν νοῦν,  
 25 προσελθόντος αὐτῷ ἐμοῦ, ἐπειδὴ τάχιστα κατέ-  
 πλευσεν ἐκ τῆς ναυαγίας Ἀθήναζε, καὶ ἐρωτῶντος  
 ὑπὲρ τούτων, ἔλεγεν ὅτι οὔτε χρήματα ἐνθιοιτο εἰς  
 τὴν ναῦν οὗτος κατὰ τὴν συγγραφὴν, οὔτε τὸ χρυ-  
 σίον εἰληφῶς εἴη παρὰ τούτου ἐν Βοσπόρῳ τότε<sup>ο</sup>.  
 30 καὶ μοι ἀνάγνωθι τὴν μαρτυρίαν τῶν παραγενο-  
 μένων.

<sup>m</sup> καὶ ἐκεῖνον, Reiske.<sup>n</sup> παρ' αὐτοῦ τούτου, Reiske.<sup>ο</sup> [τότε] Reiske.

## ΜΑΡΤΥΡΙΑ.

Ἐπειδὴ<sup>1</sup> τοίνυν, ὦ ἄνδρες Ἀθηναῖοι, ἐπεδήμησε  
 Φορμίων οὗτος<sup>2</sup> σεσωσμένος ἐφ' ἐτέρας νεώς, προ-  
 σῆναι αὐτῷ ἀπαιτῶν τὸ δάνειον. καὶ οὗτος κατὰ  
 5 μὲν ἀρχὰς οὐδὲ πώποτ', ὦ ἄνδρες Ἀθηναῖοι, εἶπε τὸν  
 λόγον τοῦτον ὃν νυνὶ<sup>3</sup> λέγει, ἀλλ' αἰεὶ<sup>4</sup> ὡμολόγει  
 ἀποδώσειν· ἐπειδὴ δ' ἀνεκοινώσατο τοῖς νῦν παροῦ-  
 σιν αὐτῷ καὶ συνδικοῦσιν, ἕτερος ἤδη ἦν καὶ οὐχ ὁ  
 αὐτός. ὥς δ' ἡσθόμην αὐτὸν διακρουόμενόν με, προσ-  
 0 ἔρχομαι τῷ Λάμπιδι, λέγων ὅτι οὐδέν<sup>5</sup> ποιεῖ τῶν  
 δικαίων Φορμίων οὐδ' ἀποδίδωσι τὸ δάνειον, καὶ ἅμα  
 ἡρόμην αὐτὸν εἰ εἰδείη ὅπου ἐστίν, ἵνα προσκαλεσαί-  
 μην αὐτόν. ὁ δ' ἀκολουθεῖν μ' ἐκέλευεν ἑαυτῷ, καὶ  
 καταλαμβάνομεν πρὸς τοῖς μυροπωλείοις αὐτόν· καί-  
 5 γὰρ κλητῆρας<sup>6</sup> ἔχων προσεκαλεσάμην τουτονί<sup>7</sup>. καὶ  
 ὁ Λάμπις, ὦ ἄνδρες Ἀθηναῖοι, παρὼν προσκαλούμένῳ  
 μοι οὐδαμοῦ ἐτόλμησεν εἰπεῖν ὥς ἀπείληφε παρὰ  
 τούτου τὸ χρυσίον, οὐδ' ὁ εἰκὸς ἦν εἶπε “Χρύσιππε,  
 μαίνει· τί τοῦτον προσκαλεῖ; ἐμοὶ γὰρ ἀποδέδωκε  
 10 τὸ χρυσίον.” ἀλλὰ μὴ ὅτι ὁ Λάμπις οὐκ ἐφθέγγετο,  
 ἀλλ' οὐδ' αὐτὸς οὐτοσὶ οὐδὲν ἤξιωσεν εἰπεῖν, παρε-  
 στηκότος τοῦ Λάμπιδος, ᾧ νῦν φησὶν ἀποδεδωκέναι  
 τὸ χρυσίον. καίτοι εἰκὸς γ' ἦν αὐτόν εἰπεῖν, ὦ ἄν-  
 δρες Ἀθηναῖοι, “τί με προσκαλεῖ, ὦ ἄνθρωπε; ἀπο-  
 5 δέδωκα γὰρ τούτῳ τῷ παρεστηκότι τὸ χρυσίον” καὶ  
 ἅμα ὁμολογοῦντα παρέχειν τὸν Λάμπιν· νυνὶ δ' οὐ-  
 δέτερος αὐτῶν οὐδ' ὁτιοῦν εἶπεν ἐν τοιούτῳ καιρῷ.  
 καὶ ὅτι ἀληθῆ λέγω, λαβέ μοι τὴν μαρτυρίαν τῶν  
 κλητόρων<sup>8</sup>.

<sup>1</sup> νῦν, Reiske.<sup>2</sup> οὐδέν μοι, Reiske.<sup>3</sup> αὐτόν, Reiske. Bekker.<sup>4</sup> μαίνῃ, Reiske.<sup>5</sup> κλητῆρων, Reiske.

## ΜΑΡΤΥΡΙΑΙ.

91:

Λαβέ δὴ μοι καὶ τὸ ἔγκλημα ὃ ἔλαχον αὐτῷ  
 πέρυσιν· ὃ ἐστὶν οὐδενὸς ἔλαττον τεκμηρίον ὅτι  
 οὐδὲ<sup>α</sup> πώποτ' ἔφησε Φορμίων ἀποδεδωκέναι τὸ χρυ-  
 5 σίον Λάμπιδι.

## ΕΓΚΛΗΜΑ.

Τοῦτο τὸ ἔγκλημα ἔλαχον<sup>α</sup> ἐγώ, ὦ ἄνδρες Ἀθη-  
 ναῖοι, οὐδαμόθεν<sup>1</sup> ἄλλοθεν σκοπῶν ἀλλ' ἢ ἐκ τῆς  
 ἀπαγγελίας τῆς Λάμπιδος, ὅς οὐκ ἔφασκεν οὔτε τὰ  
 10 χρήματα ἐντεθεῖσθαι τοῦτον οὔτε τὸ χρυσίον ἀπει-  
 λήφειν· μὴ γὰρ οἶσθέ με οὕτως ἀπόπληκτον εἶναι  
 καὶ παντελῶς μαινόμενον ὥστε τοιοῦτον ὦ ἄνδρες  
 Ἀθηναῖοι γράφειν ἔγκλημα ὁμολογοῦντος τοῦ Λάμ-  
 πιδος ἀπειληφέναι τὸ χρυσίον ὑφ' οὗ ἡμελλον ἐξε-  
 15 λεγχθῆσθαι.

Ἔτι<sup>2</sup> δ' ὦ ἄνδρες Ἀθηναῖοι κάκεῖνο σκέψασθε·  
 αὐτοὶ γὰρ οὗτοι παραγραφὴν διδόντες πέρυσιν, οὐκ  
 ἐτόλμυσαν ἐν τῇ παραγραφῇ γράψαι ὡς ἀποδεδώ-  
 κασι Λάμπιδι τὸ χρυσίον. καὶ μοι λαβέ ταύτην τὴν  
 20 παραγραφὴν.

## ΠΑΡΑΓΡΑΦΗ.

Ἀκούετε, ὦ ἄνδρες Ἀθηναῖοι, ὅτι οὐδαμοῦ γέ-  
 γραπτὰ ἐν τῇ παραγραφῇ ὡς ἀποδεδώκε τὸ χρυ-  
 σίον Φορμίων Λάμπιδι, καὶ ταῦτ' ἐμοῦ διαρρήδην  
 25 γράψαντος εἰς τὸ ἔγκλημα, ὃ ἠκούσατ' ἀρτίως, ὅτι  
 οὔτε τὰ χρήματ' ἐνθόιτο εἰς τὴν ναῦν οὔτ' ἀποδέ-  
 δωκε τὸ χρυσίον. τίνα οὖν ἄλλον χρὴ περιμένειν  
 ὑμᾶς μάρτυρα, ὅταν τηλικαύτην μαρτυρίαν παρ' αὐ-  
 τῶν τούτων ἔχητε;

<sup>α</sup> οὐδέπω τότε, Reiske.<sup>α</sup> ἔγραφον, Reiske.

Μελλούσης<sup>3</sup> δὲ τῆς δίκης εἰσιέναι εἰς τὸ δικασ-  
 τήριον ἐδέοντο ἡμῶν ἐπιτρέψαι τινί· καὶ ἡμεῖς ἐπε-  
 τρέψαμεν Θεοδότῳ ἰσοτελεῖ<sup>4</sup> κατὰ συνθήκας. καὶ  
 ὁ Λάμπις μετὰ ταῦτα νομίσας αὐτῷ ἀσφαλὲς ἦδη  
 5 εἶναι πρὸς διαιτητῇ μαρτυρεῖν ὃ τι βούλοιο, με-  
 ρισάμενος τὸ ἐμὸν χρυσίον μετὰ Φορμίωνος τουτονὶ  
 ἐμαρτύρει τάναντία οἷς πρότερον εἰρήκει. οὐ γὰρ  
 ὁμοίον ἐστίν, ὧ ἄνδρες Ἀθηναῖοι, εἰς τὰ ὑμέτερα  
 πρόσωπα ἐμβλέποντα τὰ ψευδῇ μαρτυρεῖν καὶ πρὸς  
 10 διαιτητῇ· παρ' ὑμῖν μὲν γὰρ καὶ<sup>5</sup> ὄργη μεγάλη  
 καὶ τιμωρία ὑπόκειται τοῖς τὰ ψευδῇ μαρτυροῦσι,  
 πρὸς δὲ τῷ διαιτητῇ ἀκινδύνως καὶ ἀναισχύντως  
 μαρτυροῦσιν ὃ τι ἂν βούλωνται.. ἀγανακτοῦντος δ' ἡ  
 ἐμοῦ καὶ σχετλιάζοντος ὧ ἄνδρες Ἀθηναῖοι ἐπὶ τῇ  
 15 τόλμῃ τοῦ Λάμπιδος, καὶ παρεχομένου πρὸς τὸν  
 διαιτητὴν τὴν<sup>1</sup> αὐτὴν μαρτυρίαν ἥνπερ καὶ νῦν  
 πρὸς ὑμᾶς παρέχομαι, τῶν ἐξ ἀρχῆς προσελθόν-  
 των αὐτῷ μεθ' ἡμῶν, ὅτε<sup>2</sup> οὔτε τὸ χρυσίον ἔφη  
 ἀπειληφέναι παρὰ τούτου οὔτε χρήματ' αὐτὸν ἐν-  
 20 θέσθαι εἰς τὴν ναῦν, οὕτως ὁ Λάμπις κατὰ<sup>2</sup> κράτος  
 ἐξελεγχόμενος τὰ ψευδῇ μαρτυρῶν καὶ πονηρὸς ὧν  
 ὁμολόγει μὲν εἰρηκέναι ταῦτα πρὸς τοῦτον, οὐ<sup>3</sup>  
 μέντοι γε ἐντὸς ὧν εἶπεν αὐτοῦ. καὶ μοι ἀνάγνωθι  
 ταύτην τὴν μαρτυρίαν.

25

## MARTYRIA.

Ἀκούσας<sup>4</sup> τοίνυν<sup>5</sup> ἡμῶν ὧ ἄνδρες Ἀθηναῖοι ὁ  
 Θεόδοτος πολλάκις, καὶ νομίσας τὸν Λάμπιν τὰ<sup>2</sup>  
 ψευδῇ μαρτυρεῖν, οὐκ<sup>6</sup> ἀπέγνω τῆς δίκης, ἀλλ' ἐφῆ-  
 κεν ἡμᾶς εἰς τὸ δικαστήριον· καταγνῶναι μὲν γὰρ  
 30 οὐκ ἠβουλήθη διὰ τὸ οἰκείως ἔχειν Φορμίωνι τούτῳ,

<sup>2</sup> Reiske and Bekker omit καί.<sup>1</sup> δὲ μου, Reiske.<sup>3</sup> κατακράτος, Bekker.<sup>4</sup> Reiske and Bekker omit τὰ.

ὥς ἡμεῖς ὕστερον ἐπυθόμεθα. ἀπογνῶναι δὲ τῆς  
δικῆς ὤκνει, ἵν' αὐτὸς μὴ ἐπιorkήσκειν. ἐξ αὐτοῦ δὴ  
τοῦ πράγματος λογίσασθε ὡ ἄνδρες δικασταὶ παρ'  
ὑμῖν αὐτοῖς ὁπόθεν ἡμελλεν οὗτος ἀποδώσειν τὸ  
5 χρυσίον. ἐνθένδε μὲν γὰρ ἐξέπλει οὐκ ἐνθέμενος εἰς  
τὴν ναῦν τὰ χρήματα καὶ ὑποθήκην οὐκ ἔχων, ἀλλ' 914  
ἐπὶ τοῖς ἐμοῖς χρήμασιν ἐπιδανεισάμενος· ἐν Βοσ-<sup>†</sup>  
πόρῳ δ' ἀπρασίαν τῶν φορτίων κατέλαβε, καὶ τοὺς  
τὰ ἑτερόπλοα δανείσαντας μόλις ἀπήλλαξεν. καὶ  
10 οὗτος<sup>1</sup> μὲν ἐδάνεισεν αὐτῷ δισχιλίας δραχμὰς ἀμ-  
φοτερόπλουν, ὥστ' ἀπολαβεῖν Ἀθήνησι δισχιλίας  
ἑξακοσίας δραχμὰς· Φορμίων δέ φησιν ἀποδοῦναι  
Λάμπιδι ἐν Βοσπόρῳ ἑκατὸν<sup>b</sup> εἴκοσι στατήρας<sup>2</sup>  
Κυζικηνούς, τούτῳ γὰρ προσέχετε τὸν νοῦν, δα-  
15 νεισάμενος ἐγγεῖων τόκων. ἦσαν<sup>3</sup> δὲ ἐφεκτοὶ οἱ  
ἐγγεῖοι τόκοι, ὁ δὲ Κυζικηνὸς ἡδύνατο<sup>c</sup> ἐκεῖ εἴκοσι  
καὶ ὀκτῶ δραχμὰς Ἀττικὰς. δεῖ δὴ μαθεῖν ὑμᾶς ὅσα  
φησὶ χρήματ' ἀποδεδωκέναι. τῶν μὲν γὰρ ἑκατὸν  
εἴκοσι στατήρων γίνονται τμισχιλῖαι τριακόσαι  
20 ἐξήκοντα, ὁ δὲ τόκος ὁ ἐγγεῖος ὁ ἐφεκτὸς τῶν  
τριάκοντα μνῶν καὶ τριῶν καὶ ἐξήκοντα, πεντακύ-  
σαι δραχμαὶ καὶ ἐξήκοντα· τὸ δὲ σύμπαν κεφάλαιον  
γίνεται<sup>4</sup> τόσον καὶ τόσον. ἔστιν οὖν, ὡ ἄν-  
δρες δικασταὶ, οὗτος ὁ ἄνθρωπος ἢ γενήσεται ποτε,  
25 ὃς ἀντὶ δισχιλίων<sup>d</sup> ἑξακοσίων δραχμῶν τριάκοντα  
μνᾶς καὶ τριακοσίας καὶ ἐξήκοντα ἀποτίνειν προ-  
εἰλετ' ἂν, καὶ τόκον πεντακοσίας δραχμὰς καὶ ἐξή-  
κοντα δανεισάμενος, ἃ<sup>e</sup> φησιν ἀποδεδωκέναι Φορ-  
μίων Λάμπιδι, τρισχιλίας ἐννακοσίας εἴκοσιν; ἐξὸν  
30 δ' αὐτῷ ἀμφοτερόπλουν Ἀθήνησεν<sup>f</sup> ἀποδοῦναι τὸ  
ἀργύριον, ἐν Βοσπόρῳ ἀποδέδωκε, τρισὶ<sup>5</sup> καὶ δέκα

<sup>b</sup> ἑκατὸν καὶ, here and below. Reiske and Bekker.

<sup>c</sup> ἐδύνατο, Reiske, Bekker.

<sup>d</sup> δισχιλίων καὶ, Reiske.

<sup>e</sup> ἄς, Reiske.

<sup>f</sup> Ἀθήνησεν, Reiske, Bekker.

μναῖς πλέον; καὶ τοῖς μὲν τὰ ἑτερόπλοα δανείσασαι  
 μόλις τάρχαῖα ἀποδέδωκας, οἱ συνέπλευσάν σοι καὶ  
 προσῆδρουνον<sup>6</sup>. τούτῳ δὲ τῷ μὴ παρόντι οὐ μόνον  
 τάρχαῖα καὶ τοὺς τόκους ἀπέδιδους, ἀλλὰ καὶ τὰ  
 5 ἐπιτίμια<sup>1</sup> τὰ ἐκ τῆς συγγραφῆς ἀπέτινες, οὐδὲ<sup>91</sup>  
 μιᾶς σοι ἀνάγκης οὔσης; κακέϊνους μὲν οὐκ ἔδεδίεις,  
 οἷς αἱ συγγραφαὶ ἐν Βοσπόρῳ τὴν πράξιν ἐδίδο-  
 σαν τοῦ δανείου· τούτου δὲ φῆς φροντίζειν, ὃν ἐξ  
 ἀρχῆς, ὥς<sup>8</sup> φησιν, εὐθύς ἡδίκεις οὐκ ἐνθέμενος τὰ  
 10 χρηματ' εἰς τὴν ναῦν κατὰ τὴν συγγραφὴν Ἀθή-  
 νηθεν; καὶ<sup>2</sup> νῦν μὲν εἰς τὸ ἐμπόριον ἤκων, οὗ τὸ  
 συμβόλαιον ἐγένετο, οὐκ ὀκνεῖς ἀποστρεῖν τὸν δα-  
 νείσαντα· ἐν Βοσπόρῳ δὲ πλείω τῶν δικαίων φῆς  
 ποιεῖν, οὗ δίκην οὐκ ἡμελλες<sup>5</sup> δώσειν; καὶ οἱ μὲν  
 15 ἄλλοι πάντες οἱ τὰ ἀμφοτερόπλοα δανειζόμενοι,  
 ὅταν<sup>3</sup> ἀποστέλλωνται ἐκ τῶν ἐμπορίων, πολλοὺς  
 παρίστανται ἐπιμαρτυρόμενοι ὅτι τὰ χρήματα ἤδη  
 κινδυνεύεται<sup>1</sup> τῷ δανείσαντι· σὺ δὲ σκήπτει μάρ-  
 τυρι αὐτῷ τῷ συναδικοῦντι, καὶ οὔτε<sup>4</sup> τὸν παῖδα τὸν  
 20 ἡμέτερον παρέλαβες ἐν Βοσπόρῳ ὄντα οὔτε τὸν  
 κοινωνόν, οὐδὲ τὰς ἐπιστολὰς ἀπέδωκας αὐτοῖς, ἃς  
 ἡμεῖς ἐπεθήκαμεν, ἐν αἷς ἐγγέγραπτο παρακολουθεῖν<sup>5</sup>  
 σοι οἷς ἂν πράττης; καίτοι, ὦ ἄνδρες Ἀθηναῖοι, τί  
 οὐκ ἂν πράξειεν ὁ τοιοῦτος, ὅστις γράμματα λαβὼν  
 25 μὴ ἀποδέδωκεν ὀρθῶς καὶ δικαίως; ἢ πῶς οὐ φα-  
 νερόν ἐστιν ὑμῖν τὸ τούτου κακούργημα ἐξ αὐτῶν  
 ὧν ἔπραττεν; καίτοι, ὦ γῆ καὶ θεοί, προσῆκέ γε  
 τοσοῦτο χρυσίον ἀποδιδόντα, καὶ πλεῖον τοῦ δαν-  
 είσματος, περιβόητον ποιεῖν ἐν τῷ ἐμπορίῳ καὶ πα-  
 30 ρακαλεῖν πάντας ἀνθρώπους, πρῶτον δὲ τὸν παῖδα  
 τὸν τούτου καὶ τὸν κοινωνόν· ἵστε<sup>6</sup> γὰρ δῆπον

<sup>8</sup> [ᾧ φασιν,] Reiske.

<sup>5</sup> ἡμελλες, Reiske, Bekker.

<sup>1</sup> ἐκινδυνεύεται, Reiske.

πάντες ὅτι δανείζονται μὲν μετ' ὀλίγων μαρτύρων,  
 ὅταν δ' ἀποδιδῶσι, πολλοὺς παρίστανται μάρτυρας,  
 ὡς ἐπεικεῖς δοκῶσιν εἶναι περὶ τὰ συμβόλαια. σοὶ 916  
 δ' ἀποδιδόντι τό τε δάνειον καὶ τοὺς τόκους ἀμ-  
 5 φοτέρους, ἑτεροπλόῳ<sup>1</sup> τῷ ἀργυρίῳ κεχρημένῳ, καὶ  
 προστιθέντι ἑτέρας τρεῖςκαίδεκα μνάς, πῶς οὐχὶ  
 πολλοὺς ἦν παραληπτέον μάρτυρας; καὶ<sup>2</sup> εἰ τοῦτ'  
 ἐπραξας, οὐδ' ἂν εἰς σοῦ μᾶλλον τῶν πλεόντων ἐθαυ-  
 μάζετο. σὺ δ' ἀντὶ τοῦ πολλοὺς μάρτυρας τού-  
 10 των ποιεῖσθαι πάντας ἀνθρώπους λανθάνειν ἐπειρῶ,  
 ὥσπερ ἀδικῶν τι. καὶ εἰ μὲν ἐμοὶ τῷ δανείσαντι  
 ἀπεδίδους, οὐδὲν ἔδει μαρτύρων· τὴν γὰρ συγγρα-  
 φὴν ἀελόμενος ἀπήλλαξο ἂν τοῦ συμβολαίου· νῦν  
 δ' οὐκ ἐμοί, ἀλλ' ἑτέρῳ ὑπὲρ ἐμοῦ ἀποδίδους, καὶ  
 15 οὐκ Ἀθήνησι, ἀλλ' ἐν Βοσπόρῳ, καὶ<sup>3</sup> τῆς συγ-  
 γραφῆς σοι κειμένης Ἀθήνησι καὶ πρὸς ἐμέ, καὶ ᾧ  
 τὸ χρυσίον ἀπεδίδους ὄντος θνητοῦ καὶ πέλαγος  
 τοσοῦτον μέλλοντος πλεῖν, μάρτυρα οὐδέν' ἐποιήσω,  
 οὔτε δούλον οὔτ' ἐλεύθερον; ἡ γὰρ συγγραφή με,  
 20 φησὶ, τῷ ναυκλήρῳ ἐκέλευεν ἀποδοῦναι τὸ χρυσίον.  
 μάρτυρας δέ<sup>κ</sup> τοι οὐκ ἐκώλυε παρακαλεῖν<sup>1</sup>, οὐδὲ τὰς  
 ἐπιστολάς ἀποδοῦναι. καὶ οἶδε<sup>4</sup> μὲν πρὸς σέ δύο  
 συγγραφὰς ἐποίησαντο ὑπὲρ τοῦ συμβολαίου, ὡς  
 ἂν οἱ<sup>5</sup> μάλιστα ἀπιστοῦντες· σὺ δὲ μόνος μόνῃ φῆς  
 25 δοῦναι τῷ ναυκλήρῳ τὸ χρυσίον, εἰδὼς κατὰ σοῦ  
 κειμένην Ἀθήνησι συγγραφὴν πρὸς τοῦτον.

Λέγει<sup>5</sup> δ' ὡς ἡ συγγραφή σωθείσης τῆς νεῶς  
 αὐτὸν ἀποδοῦναι κελεύει τὰ χρήματα. καὶ γὰρ  
 ἐνθέσθαι τάγοράσματα εἰς τὴν ναῦν κελεύει σε, εἰ  
 30 δὲ μὴ, πεντακισχιλίας δραχμὰς ἀποτίνειν. σὺ δὲ  
 τοῦτο μὲν τῆς συγγραφῆς οὐ λαμβάνεις<sup>ο</sup>, παρα-

<sup>κ</sup> δέ γ' οὐκ, Reiske, Bekker.<sup>1</sup> παραλαβεῖν, Reiske.<sup>μ</sup> σοι, Reiske.<sup>ν</sup> Δέγει δὲ πῶς ἡ συγγραφή; Reiske.<sup>ο</sup> παραλαμβάνεις, Reiske.

βεβηκώς δ' εὐθύς ἐξ ἀρχῆς καὶ τὰ χρήματα οὐκ  
 ἐνθέμενος ἀμφισβητεῖς πρὸς ἓν ῥῆμα τῶν ἐν τῇ<sup>91</sup>  
 συγγραφῇ, καὶ τοῦτο ἀνηρηκώς αὐτός. ὁπότε γάρ  
 ἐν τῷ Βοσπόρῳ φῆς μὴ τὰ χρήματ' ἐνθέσθαι εἰς  
 5 τὴν ναῦν, ἀλλὰ τὸ χρυσίον τῷ ναυκλήρῳ ἀποδοῦ-  
 ναι, τί ἔτι περὶ τῆς νεῶς διαλέγῃ; οὐ γὰρ με-  
 τέσχηκας τοῦ κινδύνου διὰ τὸ μηδὲν ἐνθέσθαι. καὶ  
 τὸ μὲν πρῶτον ὧ ἄνδρες Ἀθηναῖοι ὥρμησεν ἐπὶ ταύ-  
 την τὴν σκῆψιν, ὡς ἐντεθειμένος τὰ χρήματα εἰς  
 10 τὴν ναῦν. ἐπειδὴ δὲ τοῦτο ἐκ πολλῶν ἡμελλεν  
 ἐξελεγχθῆσεσθαι ψευδόμενος, ἐκ τε τῆς ἀπογρα-  
 φῆς τῆς ἐν Βοσπόρῳ παρὰ τοῖς<sup>1</sup> ἐλλυμενισταῖς καὶ  
 ὑπὸ τῶν ἐν τῷ ἐμπορίῳ ἐπιδημούντων κατὰ τὸν  
 αὐτὸν χρόνον, τηνικαῦτα μεταβαλλόμενος συνίστα-  
 15 ται μετὰ τοῦ Λάμπιδος καὶ φησὶν ἐκείνῳ τὸ χρυ-  
 σίον ἀποδεδωκέναι, ἐφόδιον<sup>2</sup> μὲν λαβὼν τὸ τὴν συγ-  
 γραφὴν κελεύειν, οὐκ ἂν ἡγούμενος δ' ἡμᾶς εὐπό-  
 ρως ἐξελέγξαι ὅσα μόνοι πρὸς αὐτοὺς αὐτοὶ<sup>3</sup> πρά-  
 ξειαν. καὶ ὁ Λάμπις ὅσα μὲν εἶπε πρὸς ἐμὲ πρὶν  
 20 ὑπὸ τούτου διαφθαρῆναι, οὐκ ἐντὸς ὧν αὐτοῦ φησὶν  
 εἶπειν· ἐπειδὴ δὲ τὸ χρυσίον τοῦμόν ἐμερίσατο,  
 τότε ἐντὸς εἶναί φησιν αὐτοῦ καὶ πάντ' ἀκριβῶς  
 μυημονεύειν.

Εἰ<sup>3</sup> μὲν οὖν ὧ ἄνδρες δικασταὶ ἐμοῦ μόνου κα-  
 15 τεφρόνει Λάμπις, οὐδὲν ἂν ἦν θαυμαστόν· νῦν δὲ  
 πολλῷ δεινότερον τούτου πέπρακται αὐτῷ πρὸς  
 πάντα ὑμᾶς. κήρυγμα<sup>4</sup> γὰρ ποιησαμένου Παρεισά-  
 δου ἐν Βοσπόρῳ, εἴαν τις βούληται Ἀθήναζε εἰς τὸ  
 Ἀττικὸν ἐμπόριον σιτηγεῖν, ἀτελῇ τὸν σίτον ἐξά-  
 10 γειν, ἐπιδημῶν ἐν τῷ Βοσπόρῳ ὁ Λάμπις ἔλαβε  
 τὴν ἐξαγωγὴν τοῦ σίτου καὶ τὴν ἀτέλειαν ἐπὶ τῷ  
 τῆς πόλεως ὀνόματι, γεμίσας δὲ ναῦν μεγάλην

σίτον ἐκόμισεν εἰς Ἀκανθον κακεῖ διεθετο προσκοι-91  
 νωνήσας τούτῳ ἀπὸ τῶν ἡμετέρων χρημάτων. καὶ  
 ταῦτ' ἐπραξεν ὡς ἄνδρες δικασταὶ οἰκῶν μὲν Ἀθή-  
 νησιν, οὐσης δ' αὐτῷ γυναικὸς ἐνθάδε καὶ παιδων,  
 5 τῶν<sup>1</sup> δὲ νόμων τὰ ἔσχατα ἐπιτίμια προτεθεικότων,  
 εἴ τις οἰκῶν Ἀθήνησιν ἄλλοθι που σιτηγήσειεν ἢ εἰς  
 τὸ Ἀττικὸν ἐμπόριον, ἔτι δ' ἐν τοιούτῳ καιρῷ, ἐν  
 ᾧ ὑμῶν οἱ μὲν ἐν τῷ ἄστει οἰκοῦντες διεμετροῦντο  
 τὰ ἀλφίτα ἐν τῷ ᾠδεῖω<sup>2</sup>, οἱ δ' ἐν τῷ Πειραιεῖ ἐν  
 10 τῷ νεωρίῳ ἐλάμβανον<sup>3</sup>· κατ' ὀβολὸν τοὺς ἄρτους  
 καὶ ἐπὶ τῆς<sup>4</sup> μακρᾶς στοᾶς, τὰ ἀλφίτα<sup>5</sup> καθ' ἡμέκ-  
 τον μετρούμενοι καὶ καταπατούμενοι. καὶ ὅτι ἀληθῆ  
 λέγω, λαβέ μοι τὴν τε μαρτυρίαν καὶ τὸν νόμον.

## ΜΑΡΤΥΡΙΑ. ΝΟΜΟΣ.

15 Φορμίων<sup>6</sup> τοῖνυν τούτῳ χρώμενος κοινωνῷ καὶ  
 μάρτυρι οἶεται δεῖν ἀποστερηῆσαι τὰ χρήμαθ' ἡμᾶς,  
 οἳ γε σιτηγοῦντες διατετελέκαμεν εἰς τὸ ὑμέτερον  
 ἐμπόριον, καὶ τριῶν ἤδη καιρῶν κατειληφότων τὴν  
 πόλιν, ἐν οἷς ὑμεῖς τοὺς χρησίμους τῷ δήμῳ ἐξη-  
 20 τάζετε<sup>7</sup>, οὐδενὸς τούτων ἀπολελείμμεθα, ἀλλ' ὅτε<sup>8</sup>  
 μὲν εἰς<sup>9</sup> Θήβας Ἀλέξανδρος παρῆει, ἐπεδώκαμεν<sup>8</sup>  
 ὑμῖν τάλαντον ἀργυρίου, ὅτε δ' ὁ σίτος ἐπετιμήθη  
 πρότερον καὶ ἐγένετο ἐκκαίδεκα δραχμῶν, εἰσαγα-  
 γόντες πλείους ἢ μυρίους μεδίμνους πυρῶν διεμε-  
 25 τρήσαμεν<sup>9</sup> ὑμῖν τῆς καθεστηκυίας τιμῆς, πέντε<sup>10</sup>  
 δραχμῶν τὸν μέδιμνον· καὶ ταῦτα πάντες ἴστε ἐν<sup>11</sup>  
 τῷ πομπεῖῳ διαμετρούμενοι· πέρυσι δ' εἰς τὴν σι-  
 τωνίαν τὴν ὑπὲρ τοῦ δήμου τάλαντον ὑμῖν ἐπεδώ-  
 καμεν ἐγὼ τε καὶ ὁ ἀδελφός. καὶ μοι ἀνάγνωθι  
 30 τούτων τὰς μαρτυρίας.

<sup>1</sup> διελάμβανον, Reiske.<sup>2</sup> ἐξετάζετε, Reiske.<sup>3</sup> Ἀλέξανδρος εἰς Θήβας, Reiske, Bekker.

## MARTYRIAΙ.

Ἄλλα<sup>1</sup> μὴν εἴ γε δεῖ<sup>2</sup> καὶ τούτοις τεκμαίρε-  
 σθαι, οὐκ εἰκὸς ἦν ἐπιδιδόναι μὲν ἡμᾶς τοσαῦτα χρή-  
 ματα, ἵνα παρ' ὑμῖν εὐδοξῶμεν<sup>3</sup>, συκοφαντεῖν δὲ  
 5 Φορμίωνα, ἵνα καὶ τὴν ὑπάρχουσαν ἐπιείκειαν<sup>2</sup> ἀπο-  
 βάλωμεν. δικαίως ἂν οὖν βοηθήσαιτε ἡμῖν<sup>3</sup>, ὥ ἄν-  
 δρες δικασταί. ἐπέδειξα γὰρ ὑμῖν οὐτ' ἐξ ἀρχῆς  
 τὰ φορτία ἐνθέμενον τοῦτον εἰς τὴν ναῦν ἀπάντων  
 ὧν ἐδανείσατο Ἀθήνηθεν, τῶν τ' ἐν τῷ Βοσπόρῳ  
 10 πραθέντων τοὺς τὰ ἑτερόπλοα δανείσαντας μόλις  
 διαλύσαντα, ἔτι δ' οὐτ' εὐποροῦντα οὔθ' οὕτως ὄντ'  
 ἀβέλτερον ὥστ' ἀντὶ δισχιλίων καὶ ἑξακοσίων δρα-  
 χμῶν τριάκοντα μνᾶς καὶ ἑννέα ἀποδοῦναι, πρὸς τε  
 τούτοις, ὅτε ἀποδοῦναί φησι τὸ χρυσίον Λάμπιδι,  
 15 οὔτε τὸν παῖδα παραλαβόντα τὸν ἐμὸν οὔτε τὸν  
 κοινωνὸν ἐπιδημοῦντα ἐν Βοσπόρῳ. ἐμοὶ δὲ Λάμπις  
 αὐτὸς μαρτυρῶν φαίνεται ὡς οὐκ ἀπείληφε τὸ χρυ-  
 σίον, πρὶν ὑπὸ τούτου διαφθαρῆναι. καίτοι<sup>3</sup> εἰ καθ'  
 ἐν ἑκαστον οὕτως ἐδείκνυε Φορμίων, οὐκ οἶδ' ὅπως  
 20 ἂν ἄλλως ἄμεινον ἀπελογήσατο. ὑπὲρ δὲ τοῦ τὴν  
 δίκην εἰσαγώγιμον εἶναι ὁ νόμος αὐτὸς διαμαρτύρε-  
 ται, κελεύων τὰς δίκας εἶναι τὰς ἐμπορικὰς τῶν  
 συμβολαίων τῶν Ἀθήνησι καὶ εἰς τὸ<sup>2</sup> Ἀθηναίων ἐμ-  
 πόριον, καὶ οὐ μόνον τῶν Ἀθήνησιν, ἀλλὰ καὶ ὅσ'  
 25 ἂν γένηται ἐνεκα τοῦ πλοῦ τοῦ Ἀθηναῖζε. λαβέ  
 δὴ μοι τοὺς νόμους.

## NOMOI.

Ὡς<sup>4</sup> μὲν τοίνυν γέγονέ μοι τὸ συμβόλαιον πρὸς  
 Φορμίων Ἀθήνησιν οὐδ' αὐτοὶ ἕξαρνοί εἰσι, παρα-  
 30 γράφονται δὲ ὡς<sup>2</sup> οὐκ εἰσαγώγιμον τὴν δίκην οὐ-

<sup>1</sup> τι δεῖ, Reiske.<sup>2</sup> δόξαν ἔχωμεν, Reiske.<sup>3</sup> ὑμῖν, Bekker.<sup>4</sup> τὸ τῶν, Reiske.<sup>5</sup> τὴν δίκην ὡς οὐκ εἰσαγώγιμον οὔσαν, Reiske.

σαν. ἀλλ' εἰς ποῖον δικαστήριον εἰσέλθωμεν, ὧ 920  
 ἄνδρες δικασταί, εἰ μὴ πρὸς ὑμᾶς, οὐπερ τὸ συμβόλαιον ἐποιησάμεθα; δεινὸν γὰρ ἂν εἴη, εἰ μὲν ἔνεκα τοῦ πλοῦ τοῦ Ἀθήναζε ἡδικοῦμην<sup>β</sup>, εἶναί μοι  
 5 παρ' ὑμῖν τὸ δίκαιον λαβεῖν παρὰ Φορμίωνος, ἐπειδὴ δὲ τὸ συμβόλαιον ἐν τῷ ὑμετέρῳ ἐμπορίῳ γέγονε, μὴ φάσκειν παρ' ὑμῖν τούτους ὑφέξειν τὴν δίκην. καὶ ὅτε μὲν Θεοδότῳ τὴν δίκαιαν ἐπετρέψαμεν, ὡμολόγησαν εἶναι καθ' αὐτῶν ἐμοὶ τὴν δίκην  
 10 εἰσαγωγίμων· νυνὶ δὲ τούναντίον<sup>δ</sup> λέγουσιν ὧν πρότερον αὐτοὶ συγκεχωρήκασιν, ὡς δέον παρὰ μὲν Θεοδότῳ τῷ ἰσοτελεῖ ὑποσχεῖν αὐτοὺς δίκην ἄνευ παραγραφῆς, ἐπειδὴ δὲ εἰς τὸ Ἀθηναίων δικαστήριον εἰσερχόμεθα, μηκέτ' εἰσαγωγίμων τὴν<sup>ε</sup> δίκην  
 15 εἶναι. ἐνθυμούμαι<sup>ι</sup> δ' ἔγωγε τί ἂν ποτε εἰς τὴν παραγραφὴν ἔγραψεν, εἰ ὃ<sup>ς</sup> Θεόδοτος ἀπέγνω τῆς δίκης, ὅπου νῦν γνόντος τοῦ Θεοδότου ἀπιέναι ἡμᾶς εἰς τὸ δικαστήριον οὐ φησι τὴν δίκην εἶναι εἰσαγωγίμων παρ' ὑμῖν, πρὸς οὓς ἐκεῖνος ἔγνω ἀπιέναι.  
 20 πάθοιμι μέντ' ἄν δεινότατα, εἰ οἱ μὲν νόμοι τῶν Ἀθηνησι συμβολαίων κελεύουσι τὰς δίκας εἶναι πρὸς τοὺς θεσμοθέτας, ὑμεῖς δ' ἀπογνοίητε τῆς δίκης ὁμωμοκότες κατὰ τοὺς νόμους ψηφιεῖσθαι.

Τοῦ<sup>2</sup> μὲν οὖν δανεῖσαι ἡμᾶς τὰ χρήματα αἱ τε  
 25 συνθηκαὶ καὶ αὐτοὺς οὗτός ἐστι μάρτυς· τοῦ δ' ἀποδεδωκέναι οὐδεὶς ἐστὶ μάρτυς ἔξω τοῦ Λάμπιδος τοῦ συναδικούντος. καὶ οὗτος μὲν εἰς ἐκεῖνον μόνον ἀναφέρει<sup>3</sup> τὴν ἀπόδοσιν, ἐγὼ δ' εἰς τε τὸν Λάμπιν αὐτὸν καὶ τοὺς ἀκούσαντας αὐτοῦ ὅτι οὐκ ἔφη  
 30 ἀπειληφέναι τὸ χροσίον. τούτῳ μὲν οὖν τοὺς ἐμούς μάρτυρας ἔξεστι κρίνειν, εἰ μὴ φησι<sup>ε</sup> τάληθ' ἡ μαρ- 921

<sup>β</sup> ἡδικοῦμην τι, Reiske.<sup>δ</sup> τάναντία, Reiske.<sup>ι</sup> Reiske omits ὁ<sup>ε</sup> τούτους παρ' ὑμῖν, Reiske.<sup>ε</sup> εἶναι τὴν δίκην, Reiske.<sup>ε</sup> φησιν ἀληθῶς, Reiske.

τυρεῖν αὐτούς· ἐγὼ δ' οὐκ ἔχω τί χρήσασθαι<sup>h</sup> τοῖς  
 τούτου μάρτυσιν, οἱ φασιν εἰδέναι τὸν Λάμπιν μαρ-  
 τυροῦντα ἀπειληφέναι τὸ χρυσίον. εἰ μὲν γὰρ ἡ  
 μαρτυρία ἡ τοῦ Λάμπιδος κατεβάλλετο ἐνταῦθ',  
 5 ἴσως ἂν ἔφασαν οὗτοι δίκαιον εἶναι ἐπισκῆπτεσθαι  
 με ἐκείνῳ· νῦν δ' οὔτε τὴν μαρτυρίαν ταύτην ἔχω,  
 οὐτοσί τε οἶεται δεῖν ἀθῶς<sup>1</sup> εἶναι οὐδὲν βέβαιον  
 ἐνέχυρον καταλιπὼν ὧν πείθει ὑμᾶς ψηφίσασθαι.  
 πῶς δ' οὐκ ἂν εἴη ἄτοπον, εἰ αὐτοῦ Φορμίωνος ὁμο-  
 10 λογούντος δανείσασθαι, φάσκοντος δ' ἀποδεδωκέναι,  
 τὸ μὲν ὁμολογούμενον ὑπ' αὐτοῦ τούτου ἄκυρον  
 ποιήσετε, τὸ δ' ἀμφισβητούμενον κύριον ψηφιεῖσθε;  
 καὶ ὁ μὲν Λάμπις, ὃ οὗτος σκῆπτεται μάρτυρι, ἔξαρ-  
 νος γενόμενος τὸ ἐξ ἀρχῆς ὡς οὐκ ἀπείληφε τὸ  
 15 χρυσίον, νῦν τὰ ἐναντία μαρτυρεῖ· ὑμεῖς δὲ γνόντες  
 ὡς οὐκ<sup>i</sup> ἀπείληφ' ἐκεῖνος, οὐκ<sup>2</sup> ἐστὲ μάρτυρες τοῦ  
 πράγματος; καὶ ὅσα μὲν εἶπε μετὰ τῆς ἀληθείας,  
 μὴ χρῆσθε τεκμηρίῳ, ἃ δ' ἐψεύσατο τὸ ὕστερον,  
 ἐπειδὴ διεφθάρη, πιστότερα ταῦθ' ὑπολάβοιτε<sup>k</sup>  
 20 εἶναι; καὶ μὴν, ὦ ἄνδρες Ἀθηναῖοι, πολὺ δικαιότερόν  
 ἐστὶ τοῖς ἐξ ἀρχῆς ῥηθεῖσι τεκμαίρεσθαι μᾶλλον ἢ  
 τοῖς ὕστερον τεκταινομένοις. τὰ μὲν γὰρ οὐκ ἐκ  
 παρασκευῆς<sup>1</sup>, ἀλλ' ἐκ τῆς ἀληθείας ἔλεγε, τὰ δ'  
 ὕστερον ψευδόμενος καὶ πρὸς τὸ συμφέρον αὐτῷ.  
 25 ἀναμνήσθητε δ', ὦ ἄνδρες Ἀθηναῖοι, ὅτι οὐδ' αὐτὸς  
 ὁ Λάμπις ἔξαρνος ἐγένετο ὡς οὐκ εἴη εἰρηκῶς  
 ὅτι οὐκ ἀπείληφε τὸ χρυσίον, ἀλλ' εἰπεῖν μὲν  
 ὁμολόγει, οὐ μέντοι γ' ἐντὸς ὧν αὐτοῦ εἰπεῖν.  
 οὐκοῦν ἄτοπον, εἰ τῆς ἐκείνου μαρτυρίας τὸ μὲν  
 30 πρὶς τοῦ ἀποστεροῦντος πιστῶς ἀκούσεσθε, τὸ δ' 922  
 ὑπὲρ τῶν ἀποστερουμένων ἄπιστον ἔσται παρ'

<sup>h</sup> χρήσασθαι, Reiske.

<sup>i</sup> Reiske omits οὐκ, and puts a comma only at πράγματος.

<sup>k</sup> ὑπολαμβάνοιτε, Reiske.

<sup>1</sup> παιδεύσεως, Reiske.

- ὑμῖν. μηδαμῶς, ὦ ἄνδρες δικασταί. ὑμεῖς γάρ  
 ἐστε οἱ αὐτοὶ οἱ τὸν ἐπιδεδανεισμένον ἐκ τοῦ ἐμ-  
 πορίου πολλὰ χρήματα καὶ τοῖς δανεισταῖς οὐ  
 παρασχόντα τὰς ὑποθήκας θανάτῳ ζημιώσαντες  
 5 εἰσαγγελθέντα<sup>1</sup> ἐν τῷ δήμῳ, καὶ ταῦτα πολίτην  
 ὑμέτερον ὄντα καὶ πατὴρ ἐστρατηγηκότος. ἡγεῖ-  
 σθε γὰρ τοὺς τοιούτους οὐ μόνον τοὺς ἐντυγχά-  
 νοντας ἀδικεῖν, ἀλλὰ καὶ κοινῇ βλάπτειν τὸ ἐμ-  
 πόριον ὑμῶν, εἰκότως· αἱ<sup>2</sup> γὰρ εὐπορίαι<sup>m</sup> τοῖς  
 10 ἐργαζομένοις οὐκ ἀπὸ τῶν δανειζομένων, ἀλλ' ἀπὸ  
 τῶν δανειζόντων εἰσὶ, καὶ οὔτε ναῦν οὔτε ναύκληρον  
 οὔτ' ἐπιβάτην ἔστ' ἀναχθῆναι, τὸ τῶν δανειζόν-  
 των μέρος ἂν ἀφαιρεθῇ. ἐν μὲν οὖν τοῖς νόμοις  
 15 πολλαὶ καὶ καλαὶ βοήθειαι εἰσιν αὐτοῖς· ὑμᾶς δὲ  
 δεῖ συνεπανορθοῦντας φαίνεσθαι καὶ μὴ συγχω-  
 ροῦντας<sup>n</sup> τοῖς πονηροῖς, ἵν' ὑμῖν ὡς πλείστη ὠφέλεια  
 παρὰ<sup>3</sup> τὸ ἐμπόριον ᾗ. ἔσται δ', εἰὰν διαφυλάττητε  
 τοὺς τὰ ἑαυτῶν προῖεμένους, καὶ μὴ ἐπιτρέπητε  
 ἀδικεῖσθαι ὑπὸ τοιούτων θηρίων.  
 20 Ἐγὼ μὲν οὖν ὅσα περ οἷός τ' ἦν εἶρηκα. καλῶ  
 δὲ καὶ ἄλλον τινὰ τῶν φίλων, εἰὰν κελεύητε.

## ΠΡΟΣ ΤΗΝ ΛΑΚΡΙΤΟΥ ΠΑΡΑΓΡΑΦΗΝ.

## ΥΠΟΘΕΣΙΣ.

ἌΝΔΡΟΚΛΗΣ δανείσας χρήματα Ἀρτέμωνι Φαση-  
 25 λίτῃ τὸ γένος, ἐμπόρῳ, τελευτήσαντος ἐκείνου πρὶν  
 ἀποδοῦναι τὸ ἀργύριον, εἰσπράττει τὸν ἀδελφὸν 923  
 αὐτοῦ Λάκριτον τὸν σοφιστὴν, δύο προβαλλόμενος  
 δίκαια, ὅτι τε παρόντος Λακρίτου καὶ ἀναδεξαμένου<sup>1</sup>

<sup>m</sup> ἐμπορίαι, Reiske.    <sup>n</sup> τοῖς πονηροῖς συγχωροῦντας, Reiske.

τὸ ἀργύριον ἐδάνεισε τῷ Ἀρτέμῳ, καὶ ὅτι κληρο-  
νόμος ἐστὶ τῶν Ἀρτέμῳ Λάκριτος. ὁ δὲ τῆς μὲν  
κληρονομίας ἀφίστασθαι φησι, παραγράφεται δὲ  
τὴν δίκην, λέγων μηδὲν ἑαυτῷ πρὸς Ἀνδροκλέα  
5 συμβόλαιον εἶναι μηδὲ συγγραφὴν μηδεμίαν. πάν-  
τως δὲ καὶ τὸ ἀναδεχέσθαι<sup>α</sup> ἕξαρνος γίνεται· οὐδὲ  
γὰρ ἂν τοῦτο ὁμολογῶν ἠγνωμόνει πρὸς τὴν ἔκ-  
τισιν.

Οὐκ ὀρθῶς δέ τινες ἐνόμισαν τὸν λόγον μὴ  
10 γνήσιον εἶναι, ἀμυδροῖς ἀπατηθέντες τεκμηρίοις.  
τὸ μὲν γὰρ τῆς φράσεως ἀνεκτόν οὐκ ἀπρεπὲς  
ἰδιωτικοῖς ἀγῶσι, τὸν δὲ Δία τὸν ἀνακτα κατὰ τὴν  
τοῦ<sup>β</sup> προσώπου τοῦ ὑποκειμένου συνήθειαν δηλὸς  
ἐστὶν ὀνομακῶς, πρὸς δὲ τὴν παραγραφὴν ἀσθε-  
15 νέστερον ἀπήντηκε διὰ τὸ<sup>γ</sup> πρᾶγμα τὸ πονηρόν.

Οὐδὲν<sup>δ</sup> καινὸν διαπράττονται οἱ Φασηλίται, ὧ  
ἄνδρες δικασταί, ἀλλ' ἅπερ εἰώθασιν. οὗτοι γὰρ  
δεινότατοι μὲν εἰσι δανείσασθαι χρήματ' ἐν τῷ  
ἐμπορίῳ, ἐπειδὴν δὲ λάβωσι καὶ συγγραφὴν συγ-  
20 γράψωνται ναυτικὴν, εὐθύς ἐπελάθοντο καὶ τῶν  
συγγραφῶν καὶ τῶν νόμων καὶ ὅτι δεῖ ἀποδοῦναι  
αὐτοὺς ἃ ἔλαβον, καὶ οἴονται, εἰάν ἀποδῶσιν, ὥσπερ οἱ  
τῶν ἰδίων τι τῶν ἑαυτῶν ἀπολωλεκέναι, ἀλλ' ἀντὶ  
τοῦ ἀποδοῦναι σοφίσματα εὐρίσκουσι καὶ παραγρα-  
25 φὰς καὶ προφάσεις, καὶ εἰσὶ πονηρότατοι ἀνθρώπων  
καὶ ἀδικώτατοι. τεκμήριον δὲ τούτου· πολλῶν γὰρ  
ἀφικνουμένων εἰς τὸ ὑμέτερον ἐμπόριον καὶ Ἑλλήνων  
καὶ βαρβάρων, πλείους δίκαι εἰσὶν ἐκάστοτε αὐτῶν<sup>ε</sup>  
τῶν Φασηλιτῶν ἢ τῶν ἄλλων ἀπάντων. οὗτοι μὲν  
30 οὖν τοιοῦτοί εἰσιν. ἐγὼ δ', ὧ ἄνδρες δικασταί, χρή-

<sup>α</sup> ἀναδέχεσθαι, Reiske.

- ματα δανείσας Ἀρτέμωνι τῷ τούτου ἀδελφῷ κατὰ  
 τοὺς ἐμπορικοὺς νόμους, εἰς τὸν Πόντον καὶ πάλιν  
 Ἀθήναζε, τελευτήσαντος ἐκείνου πρὶν ἢ ἀποδοῦναι  
 μοι τὰ χρήματα, Λακρίτῳ τούτῳ εἵληχα τὴν δίκην  
 5 ταύτην κατὰ τοὺς αὐτοὺς νόμους τούτους καθ'  
 οὐσπερ τὸ συμβόλαιον ἐποίησάμην, ἀδελφῷ ὄντι  
 τούτῳ ἐκείνου καὶ ἔχοντι πάντα τὰ Ἀρτέμωνος, καὶ  
 ὅς' ἐνθάδε κατέλιπε καὶ ὅσα ἦν αὐτῷ ἐν τῇ Φασή-  
 λιδι, καὶ<sup>b</sup> κληρονόμῳ ὄντι τῶν ἐκείνου ἀπάντων,  
 10 καὶ<sup>2</sup> οὐκ ἂν ἔχοντος τούτου δεῖξαι νόμον ὅστις  
 αὐτῷ δίδωσιν ἐξουσίαν ἔχειν μὲν τὰ τᾶδελεφου καὶ  
 διψηκέναι ὅπως ἐδόκει αὐτῷ, μὴ ἀποδοῦναι δὲ τὰλ-  
 λότρια χρήματα, ἀλλὰ λέγειν νῦν ὅτι οὐκ ἔστι  
 κληρονόμος, ἀλλ' ἀφίσταται τῶν ἐκείνου. ἡ μὲν  
 15 τουτουὶ Λακρίτου πονηρία τοιαύτη ἐστίν· ἐγὼ δ'  
 ὑμῶν δέομαι, ὦ ἄνδρες δικασταί, εὐνοϊκῶς ἀκοῦσαί  
 μου περὶ τοῦ πράγματος τουτουί· κὰν ἐξελέγξω  
 αὐτὸν ἀδικοῦντα ἡμᾶς τε τοὺς δανείσαντας καὶ ὑμᾶς  
 οὐδὲν ἡττον, βοηθεῖτε ἡμῖν τὰ δίκαια.  
 20 Ἐγὼ<sup>3</sup> γάρ, ὦ ἄνδρες δικασταί, αὐτὸς μὲν οὐδ'  
 ὁπωστιοῦν ἐγνώριζον τοὺς ἀνθρώπους τούτους· Θρα- 92  
 συμήδης δ' ὁ Διοφάντου υἱὸς, ἐκείνου τοῦ Σφηττίου,  
 καὶ Μελάνωπος ὁ ἀδελφὸς αὐτοῦ ἐπιτήδειοί μοι εἰσι,  
 καὶ χρώμεθ<sup>1</sup> ἀλλήλοις ὡς οἷόν τε μάλιστα. οὗτοι  
 25 προσῆλθόν μοι μετὰ Λακρίτου τουτουί, ὅποθεν δή-  
 ποτε<sup>c</sup> ἐγνωρισμένοι τούτῳ, οὐ γὰρ οἶδα, καὶ ἐδέοντό  
 μου δανείσαι χρήματ' εἰς τὸν Πόντον Ἀρτέμωνι τῷ  
 τούτου ἀδελφῷ καὶ Ἀπολλοδώρῳ, ὅπως<sup>2</sup> ἂν<sup>d</sup> ἐνεργοὶ  
 ᾤσιν, οὐδὲν εἰδῶς ὦ ἄνδρες δικασταί οὐδ' ὁ Θρα-  
 30 συμήδης τὴν τούτων πονηρίαν, ἀλλ' οἴομενος εἶναι  
 ἐπιεικεῖς ἀνθρώπους καὶ οἰοίπερ· προσεποιούντο καὶ

<sup>b</sup> [καί], Reiske<sup>c</sup> δήποθεν, Reiske.<sup>d</sup> Reiske and Bekker omit ἂν.

ἔφασαν εἶναι, καὶ ἡγούμενος ποιήσῃν αὐτοὺς πάντα  
 ὅσαπερ ὑπισχνεῖτο<sup>ε</sup> καὶ ἀνεδέχετο Λάκριτος οὐτοσί.  
 πλείστον<sup>δ</sup> ἄρ' ἦν ἐψευσμένος, καὶ οὐδὲν ἤδει οἷσις  
 θηρίοις ἐπλησίαζε τοῖς ἀνθρώποις τούτοις. καὶ γὰρ  
 5 πεισθεὶς ὑπὸ τοῦ Θρασυμήδους καὶ τοῦ ἀδελφοῦ<sup>ε</sup>,  
 αὐτοῦ, καὶ Λακρίτου τουτουὶ ἀναδεχομένου μοι πάντ'  
 ἔσεσθαι τὰ δίκαια παρὰ τῶν ἀδελφῶν τῶν αὐτοῦ,  
 ἐδάνεῖσα μετὰ ξένου τινὸς ἡμετέρου Καρυστίου  
 τριάκοντα μνᾶς ἀργυρίου. βούλομαι οὖν, ὦ ἄνδρες  
 10 δικασταί, τῆς συγγραφῆς ἀκοῦσαι ὑμᾶς πρῶτον,  
 καθ' ἣν ἐδανείσαμεν τὰ χρήματα, καὶ τῶν μαρτύρων  
 τῶν παραγενομένων τῷ δανείσματι· ἔπειτα<sup>ε</sup> περὶ  
 τῶν ἄλλων ἐπιδείξομεν, οἷα ἐτοιχωρήνησαν οὗτοι  
 περὶ τὸ δάνειον. λέγε τὴν συγγραφὴν, ἔπειτα τὰς  
 15 μαρτυρίας.

#### ΣΥΓΓΡΑΦΗ<sup>ε</sup>.

Ἐδάνεισαν Ἀνδροκλῆς Σφήττιος καὶ Νανσικρά-  
 τῆς Καρύστιος Ἀρτέμῳ καὶ Ἀπολλοδώρῳ Φασηλί-  
 ταις δραχμας<sup>h</sup> ἀργυρίου τρισχιλίας Ἀθήνηθεν εἰς 926  
 20 Μένδην ἢ Σκιώνην, καὶ ἐντεύθεν εἰς Βόσπορον, εἰάν  
 δὲ βούλωνται, τῆς ἐπ' ἀριστερὰ μέχρι Βορυσθένους  
 καὶ πάλιν Ἀθήναζε, ἐπὶ διακοσίαις εἰκοσιπέντε τὰς  
 χιλίας, εἰάν δὲ μετ'<sup>1</sup> Ἀρκτοῦρον ἐκπλεύσωσιν ἐκ τοῦ  
 Πόντου ἐφ' Ἱερὸν<sup>2</sup>, ἐπὶ τριακοσίαις τὰς χιλίας, ἐπὶ<sup>3</sup>  
 25 οἶνον κεραμίσις Μενδαίοις τρισχιλίαις, ὅς πλευνεῖται  
 ἐκ Μένδης ἢ Σκιώνης ἐν τῇ εἰκοσόρῳ<sup>4</sup> ἣν Ὑβλήσιος  
 ναυκληρεῖ. ὑποτιθέασι δὲ ταῦτα, οὐκ ὀφείλοντες  
 ἐπὶ τούτοις ἄλλῳ οὐδενὶ οὐδὲν ἀργύριον, οὐδ' ἐπι-  
 δανείσονται. καὶ ἀπάξουσι τὰ χρήματα τὰ ἐκ τοῦ  
 30 Πόντου ἀντιφορτισθέντα πάλιν Ἀθήναζε ἐν τῷ

<sup>ε</sup> ὑπισχνούντο, Reiske.

<sup>ε</sup> Reiske and Bekker have no comma after ἀδελφοῦ.

<sup>ε</sup> ἔπειτα καί, Reiske.

<sup>h</sup> ἀργυρίου δραχμας, Reiske.

αὐτῷ πλοίῳ ἅπαντα. σωθέντων δὲ τῶν χρημάτων  
 Ἀθήναζε ἀποδώσουσιν οἱ δανεισάμενοι τοῖς δανείασσι  
 τὸ γιγνόμενον ἀργύριον κατὰ τὴν συγγραφὴν ἡμε-  
 ρῶν εἴκοσιν ἀφ' ἧς ἂν ἔλθωσιν Ἀθήναζε, ἐντελές  
 5 πλὴν ἐκβολῆς<sup>ο</sup> ἣν ἂν οἱ σύμπλοι ψηφισάμενοι κοινῇ  
 ἐκβάλωνται, καὶ ἂν τι πολεμίοις ἀποτίσωσιν· τῶν  
 δ' ἄλλων ἀπάντων ἐντελές. καὶ παρέξουσιν τοῖς  
 δανείασσι τὴν ὑποθήκην ἀνέπαφον κρατεῖν, ἕως ἂν  
 ἀποδώσι τὸ γιγνόμενον ἀργύριον κατὰ τὴν συγ-  
 10 γραφὴν. εἰ δὲ μὴ ἀποδώσιν ἐν τῷ συγκεϊμένῳ  
 χρόνῳ, τὰ ὑποκείμενα τοῖς δανείασιν ἐξέστω ὑπο-  
 θεῖναι καὶ ἀποδόσθαι τῆς ὑπαρχούσης τιμῆς· καὶ  
 εἰ ἂν τι ἐλλείπη τοῦ ἀργυρίου, ὃ δεῖ γενέσθαι τοῖς  
 δανείασσι κατὰ τὴν συγγραφὴν, κατὰ Ἀρτέμωνα  
 15 καὶ Ἀπολλοδώρου ἔστω ἡ πρᾶξις τοῖς δανείασσι καὶ  
 ἐκ τῶν τούτων ἀπάντων, καὶ ἐγγείων καὶ ναυτικῶν,  
 πανταχοῦ ὅπου ἂν ᾦσι, καθάπερ δίκην ὠφληκότων  
 καὶ ὑπερημέρων ὄντων, καὶ ἐνὶ ἑκατέρῳ τῶν δανει-92  
 σάντων καὶ ἀμφοτέροις. εἰ δὲ<sup>1</sup> μὴ εἰσβάλωσι,  
 20 μείναντες<sup>2</sup> ἐπὶ<sup>1</sup> κυνὶ ἡμέρας δέκα ἐν Ἑλλησπόντῳ,  
 ἐξελόμενοι ὅπου ἂν μὴ σῦλαι<sup>3</sup> ᾦσιν Ἀθηναίοις, καὶ  
 ἐντεῦθεν καταπλεύσαντες Ἀθήναζε τοὺς τόκους ἀπο-  
 δόντων τοὺς πέρυσι<sup>4</sup> γραφέντας εἰς τὴν συγγραφὴν.  
 εἰ δὲ τι ἢ ναὺς πάθῃ ἀνέκестον ἐν ἣ ἂν πλὴν τὰ  
 25 χρήματα, σωτηρία<sup>5</sup> ἔστω τῶν ὑποκειμένων· τὰ δὲ  
 περγεγνόμενα κοινὰ ἔστω τοῖς δανείασιν. κυριώ-  
 τερον δὲ περὶ τούτων ἄλλο μηδὲν εἶναι τῆς συγ-  
 γραφῆς.

Μάρτυρες Φορμίων Πειραιεύς, Κηφισόδοτος Βοιώ-  
 30 τος, Ἡλιόδωρος Πιτθεύς.

Λέγε δὴ καὶ τὰς μαρτυρίας.

<sup>1</sup> ἐπὶ τὴν ἐπὶ, Reiske.

## ΜΑΡΤΥΡΙΑΙ.

Ἄρχενομίδης Ἀρχεδάμαντος Ἀναγυράσιος μαρ-  
τυρεῖ συνθήκας παρ' ἐαυτῷ καταθέσθαι Ἀνδροκλέα  
Σφήττιον, Ναυσικράτην Καρύστιον, Ἀρτέμωνα,  
5 Ἀπολλόδωρον Φασηλίτας, καὶ εἶναι παρ' ἐαυτῷ ἔτι  
κειμένην τὴν συγγραφὴν.

Λέγει δὴ καὶ τὴν τῶν παραγενομένων μαρτυρίαν.

## ΜΑΡΤΥΡΙΑ.

Θεόδοτος ἰσοτελής, Χαρίνος Ἐπιχάρους Λευκο-  
10 νοεύς, Φορμίων Κηφισοφῶντος Πειραιεύς, Κηφισό-  
δωρος Βοιωτίας, Ἡλιόδωρος Πιθνεὺς μαρτυροῦσι παρ-  
εἶναι, ὅτ' ἐδάνεισεν Ἀνδροκλῆς Ἀπολλοδώρῳ καὶ  
Ἀρτέμῳ ἀργυρίου τρισχιλίας δραχμας, καὶ εἰδέναι  
τὴν συγγραφὴν καταθεμένους παρὰ Ἀρχενομίδῃ  
15 Ἀναγυρασίῳ.

Κατὰ<sup>6</sup> τὴν συγγραφὴν ταύτην, ὧ ἄνδρες δικασ-  
ται, ἐδάνεισα τὰ χρήματα Ἀρτέμῳ τῷ τούτου  
ἀδελφῷ, κελεύοντος τούτου καὶ ἀναδεχομένου ἅπαντ'  
ἕσεσθαι μοι τὰ δίκαια κατὰ τὴν συγγραφὴν καθ' ἣν<sup>928</sup>  
20 ἐδάνεισα τούτου αὐτοῦ γράφοντος καὶ συσσημηνα-  
μένου, ἐπειδὴ ἐγράφη. οἱ μὲν γὰρ ἀδελφοὶ οἱ τού-  
του ἔτι νεώτεροι ἦσαν καὶ<sup>k</sup> μειράκια παντάπασιν,  
οὗτοσὶ δὲ Λάκριτος Φασηλῆτης, μέγα<sup>1</sup> πρᾶγμα,  
Ἰσοκράτους μαθητής· οὗτος ἦν ὁ πάντα διοικῶν,  
25 καὶ ἐαυτῷ με τὸν νοῦν προσέχειν ἐκέλευεν· αὐτὸς  
γὰρ ἔφη ποιήσιν μοι τὰ δίκαια ἅπαντα καὶ ἐπιδη-  
μήσειν Ἀθήνησι, τὸν δ' ἀδελφὸν τὸν αὐτοῦ Ἀρτέμωνα  
πλευσεῖσθαι ἐπὶ τοῖς χρήμασιν. καὶ τότε μὲν, ὧ  
ἄνδρες δικασταί, ὅτ' ἡβούλετο<sup>1</sup> τὰ χρήματα λαβεῖν

<sup>k</sup> μειράκια κομιδῇ, Reiske, omitting καί.

<sup>1</sup> ἐβούλετο, Reiske, Bekker.

παρ' ἡμῶν, καὶ ἀδελφὸς ἔφη εἶναι καὶ κοινωνὸς τοῦ Ἀρτέμιωνος, καὶ λόγους θαυμασίως ὡς<sup>m</sup> πιθανοὺς ἔλεγεν· ἐπειδὴ δὲ τάχιστα ἐγκρατεῖς ἐγένοντο τοῦ ἀργυρίου, τοῦτο μὲν διενείμαντο καὶ ἐχρῶντο ὃ τι 5 ἐδόκει τούτοις, κατὰ δὲ τὴν συγγραφὴν τὴν ναυτικὴν, καθ' ἣν ἔλαβον τὰ χρήματα, οὔτε μέγα οὔτε μικρὸν ἔπραττον, ὡς αὐτὸ τὸ ἔργον ἐδήλωσεν. οὐτοσί δὲ Λάκριτος ἀπάντων ἦν τούτων ὁ ἐξηγητής. καθ' ἕκαστον δὲ τῶν γεγραμμένων ἐν τῇ συγγραφῇ 10 ἐπιδείξω τούτους οὐδ' ὁτιοῦν πεποιηκότας ὑγίης.

Πρῶτον<sup>2</sup> μὲν γὰρ γέγραπται ὅτι ἐπ' οἴνου κεραμίοις τρισχιλίοις ἐδανείζοντο παρ' ἡμῶν τὰς τριάκοντα μνᾶς, ὡς<sup>3</sup> ὑπαρχούσης αὐτοῖς ὑποθήκης ἐτέρων τριάκοντα μνῶν, ὥστ' εἰς τάλαντον ἀργυρίου 15 τὴν τιμὴν εἶναι τοῦ οἴνου καθισταμένην, σὺν τοῖς ἀναλώμασιν ὅσα ἔδει ἀναλίσκεσθαι εἰς τὴν κατασκευὴν τὴν περὶ τὸν οἶνον· τὰ δὲ τρισχίλια ταῦτα 92<sup>1</sup> κεράμια ἄγεσθαι εἰς τὸν Πόντον ἐν τῇ εἰκοσῶρῳ ἣν Ὑβλήσιος ἐναυκλήρει. γέγραπται μὲν ταῦτα ἐν τῇ 20 συγγραφῇ, ὧ ἄνδρες δικασταί, ἧς ὑμεῖς ἀκηκόατε· οὗτοι δ' ἀντὶ τῶν τρισχιλίων κεραμίων οὐδὲ πεντακόσια κεράμια εἰς τὸ πλοῖον ἐνέθεντο, ἀλλ' ἀντὶ τοῦ ἡγοράσθαι αὐτοῖς τὸν οἶνον, ὅσον προσῆκε, τοῖς χρήμασιν ἐχρῶντο ὃ τι ἐδόκει τούτοις, τὰ δὲ κε- 25 ράμια τὰ τρισχίλια οὐδ' ἐμέλλησαν οὐδὲ διανοήθησαν ἐνθέσθαι εἰς τὸ πλοῖον κατὰ τὴν συγγραφὴν. ὅτι δ' ἀληθῆ ταῦτα<sup>n</sup> λέγω, λαβὲ τὴν μαρτυρίαν τῶν συμπλεόντων ἐν τῷ αὐτῷ πλοίῳ τούτοις.

### MARTYRIA.

30 Ἐρασικληὴς μαρτυρεῖ κυβερνᾶν τὴν ναῦν ἣν Ὑβλήσιος ἐναυκλήρει, καὶ εἰδέναι Ἀπολλάδωρον

<sup>m</sup> Reiske omits ὡς

<sup>n</sup> λέγω ταῦτα, Reiske.

ἀγόμενον ἐν τῷ πλοίῳ οἴνου Μενδαίου κεράμια τετρακόσια πεντήκοντα, καὶ οὐ πλείω· ἄλλο δὲ μηδὲν ἀγώγιμον ἄγεσθαι ἐν τῷ πλοίῳ Ἀπολλόδωρον εἰς τὸν Πόντον.

- 5 Ἰππίας Ἀθηνίππου Ἀλικαρνασσεὺς μαρτυρεῖ συμπλεῖν ἐν τῇ Ὑβλησίῳ νηὶ διαπτεύων<sup>1</sup> τὴν ναῦν, καὶ εἶδέναι Ἀπολλόδωρον τὸν Φασηλίτην ἀγόμενον ἐν τῷ πλοίῳ ἐκ Μένδης εἰς τὸν Πόντον οἴνου Μενδαίου κεράμια τετρακόσια πεντήκοντα, ἄλλο δὲ  
10 μηδὲν φορτίον.

Πρὸς τοῖσδ' ἐξεμαρτύρησεν<sup>2</sup> Ἀρχάδης Μνησωνίδου Ἀχαρνεὺς, Σώστρατος Φιλίππου Ἰστιαιοθέν, Φιλτιάδης Κτησίῳ Ξυπεταιῶν<sup>3</sup>, Διονύσιος Δημοκρατίδου Χολλίδης.

- 15 Περί<sup>3</sup> μὲν οὖν<sup>p</sup> τοῦ πλῆθους τοῦ οἴνου, ὅσον ἔδει αὐτοὺς ἐνθέσθαι εἰς τὸ πλοῖον, ταῦτα διαπράξαντο, καὶ<sup>a</sup> ἤρξαντο εὐθὺς ἐντεῦθεν ἀπὸ τοῦ πρώτου γεγραμμένου παραβαίνειν καὶ μὴ ποιεῖν τὰ γεγραμ- 930  
μένα. μετὰ δὲ ταῦτ' ἔστιν ἐν τῇ συγγραφῇ ὅτι  
20 ὑποτιθέασι ταῦτ' ἐλεύθερα καὶ οὐδενὶ οὐδὲν ὀφείλοντες, καὶ ὅτι οὐδὲ ἐπιδανείσονται<sup>1</sup> ἐπὶ τούτοις παρ' οὐδενός. ταῦτα διαρρήδην γέγραπται, ὥς ἄνδρες δικασταί. οὗτοι δὲ τί ἐποίησαν; ἀμελήσαντες τῶν<sup>r</sup>  
γεγραμμένων ἐν τῇ συγγραφῇ δανεῖζονται παρά  
25 τινος νεανίσκου, ἐξαπατήσαντες ὡς οὐδενὶ οὐδὲν ὀφείλοντες· καὶ ἡμᾶς τε παρεκρούσαντο καὶ ἔλαθον δανεισάμενοι ἐπὶ τοῖς ἡμετέροις, ἐκείνόν τε τὸν νεανίσκον τὸν δανείσαντα ἐξηπάτησαν ὡς<sup>b</sup> ἐπ' ἐλευθέροις τοῖς χρήμασι δανειζόμενοι· τοιαῦτα τούτων  
30 ἐστὶ τὰ κακουργήματα. ταῦτα δὲ πάντ' ἐστὶ τὰ

<sup>o</sup> ἐκ Ξυπεταιῶν, Reiske.

<sup>p</sup> δὴ, Reiske.

<sup>a</sup> εὐθὺς ἐντεῦθεν ἀπὸ τοῦ πρώτου γεγραμμένου παραβαίνειν ἀρξάμενοι, Reiske.

<sup>r</sup> τῶν ἐν τῇ συγγραφῇ γεγραμμένων, Reiske.

<sup>b</sup> οὐκ, Reiske.

σοφίσματα<sup>2</sup> Λακρίτου τουτουί. ὅτι δ' ἀληθῆ λέγω καὶ ἐπεδανείσαντο χρήματα<sup>1</sup> παρὰ τὴν συγγραφὴν, μαρτυρίαν ἀναγνώσεται ὑμῖν αὐτοῦ τοῦ ἐπιδανείσαντος. λέγε τὴν μαρτυρίαν.

5 ΜΑΡΤΥΡΙΑ.

Ἄρατος Ἀλικαρνασσεὺς μαρτυρεῖ δανεῖσαι Ἀπολλοδώρῳ ἑνδεκα μνᾶς ἀργυρίου ἐπὶ τῇ ἐμπορίᾳ, ἣν ἤγεν ἐν τῇ Ὑβλησίῳ νηὶ εἰς τὸν Πόντον, καὶ τοῖς ἐκεῖθεν ἀνταγορασθεῖσι, καὶ μὴ εἰδέναι αὐτὸν δε-  
10 δανεισμένον παρὰ Ἀνδροκλέους ἀργύριον· οὐ γὰρ ἂν δανεῖσαι αὐτὸς Ἀπολλοδώρῳ τὸ ἀργύριον.

Αἱ μὲν πανουργίαι τοιαῦται τῶν ἀνθρώπων τούτων εἰσίν. γέγραπται δὲ μετὰ ταῦτα ἐν τῇ συγγραφῇ, ὡς ἄνδρες δικασταί, ἐπειδὴν ἀποδῶνται ἐν τῷ  
15 Πόντῳ ἃ ἤγον, ἀνταγοράζουσιν πάλιν χρήματα καὶ ἀντιφορτίζεσθαι καὶ ἀπάγειν Ἀθήναζε τὰ ἀντιφορ- 931  
τισθέντα, καὶ ἐπειδὴν ἀφίκωνται Ἀθήναζε, ἀποδοῦναι εἴκοσιν ἡμερῶν τὸ<sup>u</sup> ἀργύριον ἡμῖν δόκιμον· ἕως δ' ἂν ἀποδώσι, κρατεῖν τῶν χρημάτων<sup>w</sup> ἡμᾶς, καὶ  
20 ἀνέπαφα ταῦτα παρέχειν τούτους, ἕως ἂν ἀπολάβωμεν. γέγραπται μὲν ταῦτα οὕτως ἰσχυρῶς ἐν τῇ συγγραφῇ· οὗτοι δ' ὡς ἄνδρες δικασταί ἐνταῦθα καὶ ἐπεδείξαντο<sup>x</sup> μάλιστα τὴν ὑβριν καὶ τὴν ἀναίδειαν τὴν ἐαυτῶν, καὶ ὅτι οὐδὲ μικρὸν προσεῖχον τοῖς  
25 γράμμασι τοῖς γεγραμμένοις ἐν τῇ συγγραφῇ, ἀλλ' ἠγοῦντο εἶναι τὴν συγγραφὴν ἄλλως<sup>1</sup> ὕθλον καὶ φλυαρίαν. οὔτε γὰρ ἀντηγόρασαν οὐδὲν ἐν τῇ Πόντῳ οὔτε ἀντεφορτίσαντο ὥστε ἄγειν Ἀθήναζε, ἡμεῖς τε οἱ δανείσαντες τὰ χρήματα ἡκόντων αὐτῶν  
30 τούτων ἐκ τοῦ Πόντου οὐκ εἴχομεν ὅτου ἐπιλαβοί-

<sup>1</sup> [τα] χρήματα, Reiske.

<sup>u</sup> ἡμῖν τὸ ἀργύριον, Reiske.

<sup>w</sup> χρημάτων πάντων, Reiske.

<sup>x</sup> μάλιστα ἐπεδείξαντο, Reiske.

μεθα οὐδ' ὅτου κρατοῖμεν, ἕως [ὅτου] κομισαίμεθα τὰ  
 ἡμέτερα αὐτῶν· οὐδ' ὅτιοῦν γὰρ εἰσῆγαγον εἰς τὸν  
 λιμένα τὸν ὑμέτερον οὗτοι. ἀλλὰ πεπόνθामεν κα-  
 νότατον, ὃ ἄνδρες δικασταί· ἐν γὰρ τῇ πόλει τῇ  
 5 ἡμετέρα αὐτῶν, οὐδέν ἀδικοῦντες οὐδέ δίκην οὐδεμίαν<sup>1</sup>  
 ὠφληκότες τούτοις, σεσυλήμεθα τὰ ἡμέτερά αὐτῶν  
 ὑπὸ τούτων Φασηλιτῶν ὄντων, ὥσπερ δεδομένων  
 σύλῳ Φασηλίταις κατ' Ἀθηναίων. ἐπειδὴν γὰρ μὴ  
 ἐθέλωσιν ἀποδοῦναι ἃ ἔλαβον, τί ἂν τις<sup>2</sup> ἄλλο ὄνομ'  
 10 ἔχοι θέσθαι τοῖς τοιούτοις ἢ ὅτι ἀφαιροῦνται βίᾳ  
 τὰ ἀλλότρια; ἐγὼ μὲν<sup>3</sup> οὐδ' ἀκήκοα πώποτε  
 πρᾶγμα μιαιώτερον ἢ ὃ οὗτοι διαπεπραγμένοι εἰσὶ  
 περὶ ἡμᾶς, καὶ ταῦθ' ὁμολογοῦντες λαβεῖν παρ'  
 ἡμῶν τὰ χρήματα. ὅσα μὲν γὰρ ἀμφισβητήσима<sup>939</sup>  
 15 ἐστὶ τῶν συμβολαίων, κρίσεως δεῖται, ὃ ἄνδρες  
 δικασταί· τὰ δὲ παρ' ἀμφοτέρων ὁμολογηθέντα τῶν  
 συντιθεμένων, καὶ περὶ ὧν συγγραφαὶ κεῖνται ναυτι-  
 καὶ, τέλος ἔχειν ἅπαντες νομίζουσι, καὶ χρῆσθαι<sup>1</sup>  
 προσήκει τοῖς γεγραμμένοις. ὅτι δὲ κατὰ τὴν συγ-  
 20 γραφὴν οὐδ' ὅτιοῦν πεποιήκασιν, ἀλλ' εὐθύς ἀπ'  
 ἀρχῆς ἀρξάμενοι ἐκακοτέχνουν καὶ ἐπεβούλευον μη-  
 δέν ὑγιὲς ποιεῖν, ὑπὸ τε τῶν μαρτύρων καὶ αὐτοὶ ὑφ'  
 αὐτῶν ἐξελέγχονται οὕτως καταφανῶς.

Ὁ<sup>3</sup> δὲ πάντων δεινότατον διεπράξατο Λάκριτος  
 15 οὗτος, δαί ὑμᾶς ἀκοῦσαι· οὗτος γὰρ ἦν ὁ πάντα  
 ταῦτα διοικῶν. ἐπειδὴ γὰρ ἀφίκοντο δεῦρο, εἰς μὲν  
 τὸ ὑμέτερον ἐμπόριον οὐ καταπλέουσιν, εἰς φωρῶν<sup>3</sup>  
 δὲ λιμένα ὀρμίζονται, ὅς ἐστιν ἔξω τῶν σημείων τοῦ  
 ὑμετέρου ἐμπορίου. καὶ ἔστιν ὅμοιον εἰς φωριῶν  
 20 λιμένα ὀρμίσασθαι ὥσπερ ἂν εἴ τις εἰς Αἴγιναν ἢ εἰς  
 Μέγαρον ὀρμίσαιτο· ἔξεστι γὰρ ἀποπλεῖν ἐκ τοῦ

<sup>1</sup> ὠφληκότες οὐδεμίαν αὐτοῖς, Reiske.

<sup>2</sup> ἄλλο τις ἔχει ὄνομα, Reiske.

<sup>3</sup> μὲν γάρ, Reiske.

λιμένος τούτου ὅποι ἂν τις βούληται καὶ ὀπηνίᾳ ἂν  
 δοκῇ αὐτῷ. καὶ τὸ μὲν πλοῖον ἄρμει ἐνταῦθα  
 πλείους ἢ πέντε καὶ εἴκοσιν ἡμέρας, οὗτοι δὲ πε-  
 ρεπάτουν ἐν τῷ δείγματι<sup>4</sup> τῷ ἡμετέρῳ, καὶ ἡμεῖς  
 5 προσιόντες διελεγόμεθα, καὶ ἐκελεύομεν τούτους  
 ἐπιμελείσθαι ὅπως ἂν ὡς τάχιστ' ἀπολάβοιμεν τὰ  
 χρήματα. οὗτοι δ' ὠμολόγουν τε καὶ ἔλεγον ὅτι  
 αὐτὰ ταῦτα περαίνοιεν. καὶ ἡμεῖς τούτοις προσήμεν,  
 καὶ ἅμ' ἐπεσκοποῦμεν εἴ τι ἐξαιρουνταὶ ποθεν ἐκ  
 10 πλοίου ἢ πεντηκοστεύονται<sup>5</sup>. ἐπεὶ δ' ἡμέραι τε  
 ἦσαν συχναὶ ἐπιδημοῦσι τούτοις, ἡμεῖς τ' οὐδ' ὅτιοῦν  
 εὐρίσκομεν οὔτε ἐξηρημένον οὔτε πεπεντηκοστευμένον  
 ἐπὶ τῷ ὀνόματι τῷ τούτων, ἐνταῦθ' ἤδη μᾶλλον 933  
 προσεκείμεθα ἀπαιτοῦντες. καὶ ἐπεὶ ἠνωχλοῦμεν  
 15 αὐτοῖς, ἀποκρίνεται Δάκριτος οὗτοσί, ὁ ἀδελφὸς ὁ<sup>b</sup>  
 Ἀρτέμωνος, ὅτι οὐκ ἂν οἰοί τ' εἶησαν ἀποδοῦναι,  
 ἀλλ' ἀπόλωλεν ἅπαντα τὰ χρήματα· καὶ ἔφη Δά-  
 κριτος δίκαιόν τι ἔχειν λέγειν περὶ τούτων. καὶ  
 ἡμεῖς, ὦ ἄνδρες δικασταί, ἡγανακτοῦμεν μὲν ἐπὶ τοῖς  
 20 λεγομένοις, πλέον δ' οὐδὲν ἦν ἡγανακτοῦσιν ἡμῖν·  
 τουτοισὶ γὰρ οὐδ' ὅτιοῦν ἔμελεν. οὐδὲν δὲ ἦττον  
 ἠρωτῶμεν αὐτοὺς ὅντινα τρόπον ἀπολωλότ' εἴη τὰ  
 χρήματα. Δάκριτος δ' οὗτοσί ναυαγῆσαι ἔφη τὸ  
 πλοῖον παραπλέον ἐκ Παντικαπαίου<sup>1</sup> εἰς Θεοδοσίαν,  
 25 ναυαγῆσαντος δὲ τοῦ πλοίου ἀπολωλέναι τὰ χρή-  
 ματα τοῖς ἀδελφοῖς τοῖς ἑαυτοῦ, ἃ ἔτυχεν ἐν τῷ  
 πλοίῳ ἐνόντα· ἐνεῖναι δὲ τάριχός<sup>3</sup> τε καὶ οἶνον Κῶρον  
 καὶ ἄλλ' ἅττα. καὶ ταῦτα ἔφασαν<sup>c</sup> πάντα ἀντιφορ-  
 τισθέντα μέλλειν αὐτὰ ἄγειν Ἀθήναζε, εἰ μὴ ἀπώ-  
 30 λετο ἐν τῷ πλοίῳ. καὶ ἃ μὲν ἔλεγε, ταῦτ' ἦν·  
 ἄξιον δ' ἀκοῦσαι τὴν βδελυρίαν τῶν ἀνθρώπων τού-  
 των<sup>d</sup> καὶ τὴν ψευδολογίαν. πρὸς<sup>3</sup> τε γὰρ τὸ πλοῖον

<sup>b</sup> Reiske omits ὁ.

<sup>c</sup> πάντα ἔφασαν, Reiske.

<sup>d</sup> τουτωνι, Reiske.

τὸ ναυαγῆσαν οὐδὲν ἦν αὐτοῖς συμβόλαιον, ἀλλ' ἦν ἕτερος ὁ δεδανεικὼς Ἀθήνηθεν ἐπὶ τῷ ναύλῳ<sup>4</sup> τῷ εἰς τὸν Πόντον καὶ ἐπ' αὐτῷ τῷ πλοίῳ, Ἀντίπατρος ὄνομα ἦν τῷ δεδανεικότι, Κιτιεύς<sup>5c</sup> τὸ γένος· τό τε οἰνάριον τὸ Κῶρον ὀγδοήκοντα στάμνοι<sup>6</sup> ἐξεστηκότος<sup>7</sup> οἴνου, καὶ τὸ τάριχος ἀνθρώπῳ τινὶ γεωργῶ παρεκομίζετο ἐν τῷ πλοίῳ ἐκ Παντικαπαίου εἰς Θεοδοσίαν, τοῖς ἐργάταις τοῖς περὶ τὴν γεωργίαν χρῆσθαι. τί οὖν ταύτας τὰς προφάσεις λέγουσιν; οὐδὲν γὰρ  
 10 προσήκει. καὶ μοι λαβὲ τὴν μαρτυρίαν, πρῶτον μὲν<sup>934</sup> τὴν Ἀπολλωνίδου ὅτι Ἀντίπατρος ἦν ὁ δανείσας ἐπὶ τῷ πλοίῳ, τούτοις δ' οὐδ' ὁτιοῦν προσήκει τῆς ναυαγίας, ἔπειτα τὴν Ἐρασικλέους καὶ τὴν Ἰππίου, ὅτι ὀγδοήκοντα μόνον<sup>†</sup> κεράμια παρήγετο ἐν τῷ  
 15 πλοίῳ.

### MARTYPIAI.

Ἀπολλωνίδης Ἀλικαρνασσεὺς μαρτυρεῖ εἰδέναι δανείσαντα Ἀντίπατρον, Κιτιέα τὸ γένος, χρήματα Ὑβλησίῳ εἰς τὸν Πόντον ἐπὶ τῇ νηὶ ἦν Ὑβλήσιος  
 20 ἐναυκλήρει, καὶ τῷ ναύλῳ τῷ εἰς τὸν Πόντον· κοινω-  
 νεῖν δὲ καὶ αὐτὸν τῆς νεὼς Ὑβλησίῳ, καὶ συμπλεῖν ἑαυτοῦ οἰκέτας ἐν τῇ νηὶ, καὶ ὅτε διεφθάρῃ ἡ ναῦς, παρῆναι<sup>1</sup> τοὺς οἰκέτας τοὺς ἑαυτοῦ καὶ ἀπαγγέλλειν ἑαυτῷ, καὶ ὅτι ἡ ναῦς κενὴ διεφθάρῃ παραπλεύουσα  
 25 εἰς Θεοδοσίαν ἐκ Παντικαπαίου.

Ἐρασικλῆς μαρτυρεῖ συμπλεῖν Ὑβλησίῳ κυβερνῶν τὴν ναῦν εἰς τὸν Πόντον, καὶ ὅτε παρέπλει ἡ ναῦς εἰς Θεοδοσίαν ἐκ Παντικαπαίου, εἰδέναι κενὴν τὴν ναῦν παραπλεύουσιν, καὶ Ἀπολλοδώρου, αὐτοῦ  
 30 τοῦ φεύγοντος νυνὶ τὴν δίκην, μὴ εἶναι οἶνον ἐν τῷ πλοίῳ, ἀλλὰ παράγεσθαι τῶν ἐκ τῆς Θεοδοσίας τινὶ οἶνον Κῶα κεράμια περὶ ὀγδοήκοντα.

• Κιτιεύς, Reiske, here and below.

† κεράμια μόνα, Reiske.

Ἰππίας Ἀθηνίππου Ἀλικαρνασσεὺς μαρτυρεῖ συμπλεῖν Ὑβλησίῳ διοπτεύων τὴν ναῦν, καὶ ὅτε παρέπλει ἡ ναὺς εἰς Θεοδοσίαν ἐκ Παντικαπαίου, ἐνθέσθαι Ἀπολλόδωρον εἰς τὴν ναῦν ἐρίων ἀγγεῖον ἐν ἡ δύο  
5 καὶ ταρίχους κεράμια ἑνδεκα ἢ δώδεκα καὶ δέρματ' αἵγεια, δύο δεσμὰς ἢ τρεῖς, ἄλλο δ' οὐδέν.

Πρὸς τοῖσδ' ἐξεμαρτύρησεν Εὐφίλητος Δαμοτίμου Ἀφιδναῖος, Ἰππίας Τιμοξένου Θυμαιτάδης, Σώστρατος Φιλίππου Ἰστιαιόθεν, Ἀρχενομίδης Στρά- 935  
10 τωνος Θριάσιος, Φιλτιάδης Κτησικλέους Ξυπetaίων.

Ἡ<sup>1</sup> μὲν ἀναίδεια τοιαύτη τῶν ἀνθρώπων τούτων ἐστίν. ὑμεῖς δ', ὦ ἄνδρες δικασταί, ἐνθυμεῖσθε πρὸς ὑμᾶς αὐτοὺς εἴ τινες πώποτ' ἴστε ἢ ἠκούσατε οἶνον<sup>ε</sup> Ἀθήναζε ἐκ τοῦ Πόντου κατ' ἐμπορίαν εἰσάγοντας,  
15 ἄλλως τε καὶ Κῶν. πᾶν γὰρ δήπου τούναντίον εἰς τὸν Πόντον ὃ<sup>h</sup> οἶνος εἰσάγεται ἐκ τῶν τόπων τῶν περὶ ἡμᾶς, ἐκ Πεπαρήθου καὶ Κῶ καὶ Θάσιος καὶ Μενδαιος καὶ ἐξ ἄλλων τινῶν πόλεων παντοδαπός· ἐκ δὲ τοῦ Πόντου ἕτερα ἔστιν ἃ εἰσάγεται δεῦρο.  
20 κατεχόμενοι<sup>2</sup> δ' ὑφ' ἡμῶν καὶ ἐλεγχόμενοι εἰ τι περιγένοιτο τῶν χρημάτων ἐν τῷ Πόντῳ, ἀπεκρίνατο Λάκριτος οὕτως ὅτι ἐκατὸν στατῆρες Κυζικηνοὶ περιγένοιτο καὶ τοῦτο τὸ χρυσίον δεδανεικὼς εἶη ἀδελφός<sup>1</sup> αὐτοῦ<sup>k</sup> ἐν τῷ Πόντῳ ναυκλήρῳ τινὶ  
25 Φασηλίτῃ, πολίτῃ καὶ ἐπιτηδείῳ ἑαυτοῦ, καὶ οὐ δύναίτο κομίσασθαι, ἀλλὰ σχεδόν τι ἀπολωλὸς εἶη καὶ τοῦτο. ταῦτ' ἐστὶν ἃ ἔλεγε Λάκριτος οὕτως. ἢ δὲ συγγραφὴ οὐ ταῦτα λέγει, ὦ ἄνδρες δικασταί, ἀλλ' ἀντιφορτισαμένους ἀπάγειν κελεύει Ἀθήναζε,  
30 οὐ δανείζειν τούτους ὅτῳ ἂν βούλωνται ἐν τῷ Πόντῳ τὰ ἡμέτερα ἄνευ ἡμῶν, ἀλλ' Ἀθήναζε παρέχειν

<sup>ε</sup> ἐκ τοῦ Πόντου οἶνον Ἀθήναζε, Reiske.

<sup>1</sup> ὁ ἀδελφός, Reiske, Bekker.

<sup>h</sup> Reiske omits ὁ.

<sup>k</sup> αὐτοῦ, Reiske.

ἀνέπαφα ἡμῖν, ἕως ἂν ἡμεῖς<sup>1</sup> ἀπολάβωμεν τὰ χρήματα ὅσ' ἔδανείσαμεν. καὶ μοι ἀναγίγνωσκε τὴν συγγραφὴν πάλιν.

ΣΥΓΓΡΑΦΗ<sup>m</sup>.

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- 5 Πότερον<sup>1</sup>, ὦ ἄνδρες δικασταί, δανείζειν κελεύει τούτους ἢ συγγραφὴ τὰ ἡμέτερα, καὶ ταῦτ' ἀνθρώπῳ ὃν ἡμεῖς οὔτε γινώσκουμεν οὔθ' ἐωράκαμεν πώποτε, ἢ ἀντιφορτισαμένους κομίσαι Ἀθήναζε καὶ φανερά ποιῆσαι ἡμῖν καὶ ἀνέπαφα παρέχειν; ἢ  
10 μὲν γὰρ συγγραφὴ οὐδὲν κυριώτερον ἢ εἶναι τῶν ἐγγεγραμμένων, οὐδὲ προσφέρειν οὔτε νόμον οὔτε ψήφισμα οὔτ' ἄλλ' οὐδ' ὅτιοῦν πρὸς τὴν συγγραφὴν· τούτοις δ' εὐθὺς ἐξ ἀρχῆς οὐδὲν ἐμέλησε τῆς συγγραφῆς ταύτης, ἀλλὰ τοῖς χρήμασιν ἐχρῶντο  
15 τοῖς ἡμετέροις ὥσπερ ἰδίοις οὐσιν αὐτῶν· οὕτως εἰσιν οὗτοι κακοῦργοι σοφισταὶ καὶ ἄδικοι ἄνθρωποι. ἐγὼ δὲ μὰ τὸν Δία τὸν ἄνακτα καὶ τοὺς θεοὺς ἅπαντας οὐδενὶ πώποτ' ἐφθόνησα οὐδ' ἐπέτιμῃσα, ὦ ἄνδρες δικασταί<sup>n</sup>, εἴ τις βούλεται σοφιστῆς  
20 εἶναι καὶ Ἰσοκράτει ἀργύριον ἀναλίσκειν· μαινοίμην γὰρ ἂν, εἴ τί μοι τούτων ἐπιμελὲς εἴη οὐ μέντοι<sup>o</sup> μὰ Δία οἶομαί γε δεῖν ἀνθρώπους καταφρονούντας καὶ οἰομένους δεινούς εἶναι ἐφίεσθαι τῶν ἀλλοτρίων, οὐδ' ἀφαιρεῖσθαι, τῷ λόγῳ πιστεύοντας· πονηροῦ γὰρ  
25 ταῦτ'<sup>p</sup> ἐστὶ σοφιστοῦ καὶ οἰμωζομένου<sup>1</sup>. Λάκριτος<sup>2</sup> 938  
δ' οὐτοσί, ὦ ἄνδρες δικασταί, οὐ τῷ δικαίῳ πιστεύων εἰσελήλυθε ταύτην τὴν δίκην, ἀλλ' ἀκριβῶς εἰδὼς τὰ πεπραγμένα ἑαυτοῖς περὶ τὸ δάνεισμα τοῦτο, καὶ ἡγούμενος<sup>q</sup> δεινὸς εἶναι καὶ ῥαδίως λόγους ποριεῖσθαι  
30 περὶ ἀδίκων πραγμάτων, οἶεται παράξειν ὑμᾶς ὅποι

<sup>1</sup> [ἡμεῖς] Reiske.      <sup>m</sup> Reiske repeats the συγγραφὴ from p. 925.

<sup>n</sup> δικασταὶ οὐδὲν, Reiske.

<sup>o</sup> μέντοι γε, Reiske.

<sup>p</sup> ταῦτά γε, Reiske.

<sup>q</sup> οἰόμενος, Reiske.

ἂν βούληται. ταῦτα γὰρ ἐπαγγέλλεται δεινός<sup>†</sup> εἶ-  
 ναι, καὶ ἀργύριον αἰτεῖ καὶ μαθητὰς συλλέγει, περὶ  
 αὐτῶν τούτων ἐπαγγελλόμενος παιδεύειν. καὶ πρῶ-  
 τον μὲν τοὺς ἀδελφούς τοὺς ἑαυτοῦ ἐπαίδευσεν τὴν  
 5 παιδεῖαν ταύτην, ἣν ὑμεῖς αἰσθάνεσθε πονηρὰν καὶ  
 ἄδικον, ὧ ἄνδρες δικασταί, δανείζεσθαι ἐν τῷ ἔμ-  
 πορίῳ ναυτικά χρήματα καὶ ταῦτ' ἀποστρεῖν καὶ  
 μὴ ἀποδιδόναι. πῶς ἂν γένοιτο πονηρότεροι ἄν-  
 θρωποι ἢ τοῦ παιδεύοντος τὰ τοιαῦτα ἢ αὐτῶν<sup>8</sup> τῶν  
 10 παιδευομένων; ἐπειδὴ οὖν δεινός ἐστι καὶ πιστεύει  
 τῷ λέγειν καὶ ταῖς χιλίαις δραγμαῖς ἃς δέδωκε τῷ  
 διδασκάλῳ, κελεύσατε αὐτὸν διδάξαι ὑμᾶς ἢ ὡς τὰ  
 χρήματ' οὐκ ἔλαβον παρ' ἡμῶν, ἢ ὡς λαβόντες ἀπο-  
 δεδώκασιν, ἢ ὅτι τὰς ναυτικὰς συγγραφὰς οὐ δεῖ  
 15 κυρίας εἶναι, ἢ ὡς δεῖ ἄλλο τι χρήσασθαι τοῖς χρη-  
 μασιν ἢ ἐφ' οἷς ἔλαβον κατὰ τὴν συγγραφὴν.  
 τούτων ὃ τι βούλεται, πεισάτω ὑμᾶς. καὶ ἔγωγε  
 καὶ αὐτὸς συγχωρῶ σοφώτατον εἶναι τοῦτον, εἰ  
 ὑμᾶς πείσῃ τοὺς περὶ τῶν συμβολαίων τῶν ἔμπο-  
 20 ρικῶν δικάζοντας. ἀλλ' εὐ οἶδ' ὅτι οὐδὲν ἂν τούτων  
 οἰός τ' εἶη οὗτος οὔτε διδάξαι οὔτε πείσαι.

Χωρίς<sup>8</sup> δὲ τούτων, φέρε πρὸς τῶν θεῶν, ὧ ἄν-  
 δρες δικασταί, εἰ τούναντίον συμβεβήκει καὶ μὴ ὃ 989  
 τούτου ἀδελφὸς ὁ τετελευτηκὼς ἐμοὶ ὥφειλε τὰ  
 25 χρήματα, ἀλλ' ἐγὼ τῷ τούτου τάλαντον ἢ ὀγδοή-  
 κοντα μνᾶς ἢ πλεόν ἢ ἔλαττον, ἂρ' ἂν οἴεσθε  
 Λάκριτον τούτου ὧ ἄνδρες δικασταί τοὺς αὐτοὺς  
 λόγους λέγειν οἷσπερ νυνὶ κατακέχρηται<sup>1</sup>, ἢ φά-  
 σκειν ἂν αὐτὸν οὐκ εἶναι κληρονόμον καὶ ἀφίστασθαι  
 30 τῶν τοῦ ἀδελφοῦ, καὶ οὐκ ἂν πάννυ πικρῶς εἰσπράτ-  
 τειν με, ὥσπερ καὶ παρὰ τῶν ἄλλων εἰσπέπρακται,  
 εἴ τίς τι ἐκείνῳ τῷ τετελευτηκότῳ ὥφειλεν ἢ ἐν

† καὶ δεινός, Reiske.

<sup>8</sup> αὐτῶν [τούτων], Reiske.

Φασηλίδι ἢ ἄλλοθί που; καὶ εἴ τις ἡμῶν φεύγων  
 δίκην ὑπὸ τούτου παραγραφὴν ἐτόλμησε παρα-  
 γράφεσθαι, μὴ εἰσαγώγιμον εἶναι τὴν δίκην, εὖ  
 οἶδ' ὅτι ἡγανάκτει ἂν οὗτος καὶ ἐσχετλιάζετο πρὸς  
 5 ὑμᾶς, δεινὰ φάσκων πάσχειν καὶ παρανομεῖσθαι<sup>2</sup>, εἰ  
 μὴ τις αὐτῷ τὴν δίκην ψηφιεῖται εἰσαγώγιμον εἶναι,  
 ἐμπορικὴν οὖσαν. ἔπειτα, ὦ Λάκριτε, σοὶ μὲν τοῦτο  
 δίκαιον δοκεῖ εἶναι, ἐμοὶ δὲ διὰ τί οὐκ ἔσται; οὐχ  
 ἅπασιν ἡμῖν οἱ αὐτοὶ νόμοι γεγραμμένοι εἰσὶ καὶ  
 10 τὸ αὐτὸ δίκαιον περὶ τῶν ἐμπορικῶν δικῶν; ἀλλ'  
 οὕτω βδελυρὸς τίς ἐστι καὶ ὑπερβάλλων ἅπαντας  
 ἀνθρώπους τῷ πονηρὸς εἶναι ὥστ' ἐπιχειρεῖ πείθειν  
 ὑμᾶς ψηφίσασθαι μὴ εἰσαγώγιμον εἶναι τὴν ἐμ-  
 πορικὴν δίκην ταυτηνί, δικαζόντων ὑμῶν νυνὶ τὰς  
 15 ἐμπορικὰς δίκας; ἀλλὰ τί κελεύεις, ὦ Λάκριτε; μὴ  
 ἱκανὸν εἶναι ἡμᾶς ἀποστερεῖσθαι ἃ ἐδανείσαμεν χρή-  
 ματα ὑμῖν, ἀλλὰ καὶ εἰς τὸ δεσμωτήριον παραδο-  
 θῆναι ὑφ' ὑμῶν προσοφλόντας τὰ ἐπιτίμια<sup>3</sup>, εἴαν  
 μὴ ἐκτίνωμεν; καὶ πῶς οὐκ ἂν δεινὸν εἴη καὶ σχέτ-  
 20 λιον καὶ αἰσχρὸν ὑμῖν, ὦ ἄνδρες δικασταί, εἰ οἱ 940  
 δανείσαντες ἐν τῷ ἐμπορίῳ τῷ ὑμετέρῳ χρήματα  
 ναυτικά καὶ ἀποστερούμενοι ὑπὸ τῶν δανεισαμένων  
 καὶ ἀποστερούντων ἀπάγοντο εἰς τὸ δεσμωτήριον;  
 ταῦτ' ἐστίν, ὦ Λάκριτε, ἃ τουτουσὶ πείθεις; ἀλλὰ  
 15 ποῦ χρή λαβεῖν<sup>4</sup> δίκην, ὦ ἄνδρες δικασταί, περὶ  
 τῶν ἐμπορικῶν συμβολαίων; παρὰ ποίᾳ ἀρχῇ ἢ ἐν  
 τίνι χρόνῳ; παρὰ τοῖς ἑνδεκα<sup>1</sup>; ἀλλὰ τοιχωρῆχους  
 καὶ κλέπτας καὶ τοὺς ἄλλους κακούργους τοὺς ἐπὶ  
 10 θανάτῳ οὗτοι εἰσάγουσιν. ἀλλὰ παρὰ τῷ ἄρχον-  
 τι<sup>2</sup>; οὐκοῦν ἐπικλήρων καὶ ὀρφανῶν καὶ τῶν τοκέων  
 τῷ ἄρχοντι προστέτακται ἐπιμελεῖσθαι. ἀλλὰ νῆ  
 Δία παρὰ τῷ βασιλεῖ<sup>3</sup>. ἀλλ' οὐκ ἐσμέν γυμνασί-

<sup>1</sup> εἰ γε, Reiske.

<sup>4</sup> δίκην λαβεῖν, Reiske.

αρχοι, οὐδὲ ἀσεβείας οὐδένα γραφόμεθα. ἀλλ' ὁ πολέμαρχος<sup>4</sup> εἰσάξει. ἀποστασίον γε καὶ ἀπροστασίον. οὐκοῦν ὑπόλοιπόν ἐστιν οἱ στρατηγοί<sup>5</sup>, ἀλλὰ τοὺς τριηράρχους καθιστᾷσιν οὗτοι<sup>7</sup> εἰσάγον-  
 5 τες εἰς τὸ δικαστήριον, ἐμπορικὴν δὲ δίκην οὐδεμίαν εἰσάγουσιν. ἐγὼ δ' εἰμὶ ἔμπορος, καὶ σὺ ἀδελφός καὶ κληρονόμος ἐνὸς τῶν ἐμπόρων καὶ τοῦ λαβόντος παρ' ἡμῶν τὰ ἐμπορικὰ χρήματα. ποῖ οὖν δεῖ ταύτην εἰσελθεῖν τὴν δίκην; διδάξον, ὦ Λάκριτε, μόνον  
 10 δίκαιόν τι λέγων καὶ κατὰ τοὺς νόμους. ἀλλ' οὐκ ἔστιν οὕτω δεινὸς ἄνθρωπος οὐδεὶς ὅστις ἂν περὶ τοιούτων πραγμάτων ἔχοι τι δίκαιον εἰπεῖν.

Οὐ<sup>8</sup> τοίνυν ταῦτα μόνον ὦ ἄνδρες δικασταὶ δεινὰ ἐγὼ πάσχω ὑπὸ Λακρίτου τουτουί, ἀλλὰ καὶ χωρὶς  
 15 τοῦ ἀποστερεῖσθαι τὰ χρήματα καὶ εἰς τοὺς ἐσχάτους ἂν<sup>9</sup> κινδύνους ἀφικόμην τὸ<sup>7</sup> τούτου μέρος, εἰ μή μοι ἡ συγγραφή ἐβόηθει ἢ πρὸς τούτους, καὶ 941  
 ἐμαρτύρει ὅτι εἰς τὸν Πόντον ἔδωκα τὰ χρήματα καὶ πάλιν Ἀθήναζε. ἴστε γὰρ δήπου ὦ ἄνδρες  
 20 δικασταὶ τὸν νόμον ὡς χαλεπὸς ἐστίν, ἐάν τις Ἀθηναίων ἄλλοσέ ποι<sup>7</sup> σιτηγήσῃ ἢ Ἀθήναζε, ἢ χρήματα δανείσῃ εἰς ἄλλο τι ἐμπόριον ἢ τὸ Ἀθηναίων, οἷαι ζημίαι περὶ τούτων εἰσὶν, ὡς μεγάλαι καὶ δειναί. μᾶλλον δ' αὐτὸν ἀνάγνωθι αὐτοῖς τὸν νόμον, ἵν'  
 25 ἀκριβέστερον μάθωσιν.

ΝΟΜΟΣ<sup>1</sup>.

Ἀργύριον δὲ μὴ ἐξεῖναι ἐκδοῦναι Ἀθηναίων καὶ τῶν μετοίκων τῶν Ἀθήνησι μετοικούντων μηδεὶ, μηδὲ ὧν οὗτοι κύριοι εἰσιν, εἰς ναῦν ἥτις ἂν μὴ  
 30 μέλλῃ ἄξειν σῖτον Ἀθήναζε, καὶ<sup>2</sup> τᾶλλα τὰ γεγραμ-

<sup>7</sup> [οὗτοι εἰσάγοντες εἰς τὸ δικαστήριον], Reiske.

<sup>9</sup> κινδύνους ἀφικόμην ἂν, Reiske.

<sup>1</sup> πη, Reiske.

μένα περὶ ἐκάστου αὐτῶν. εἰάν δέ τις ἐκδῶ παρὰ ταῦτ', εἶναι<sup>3</sup> τὴν φάσιν<sup>4</sup> καὶ τὴν ἀπογραφὴν τοῦ ἀργυρίου πρὸς τοὺς ἐπιμελητάς, καθὰ περὶ τῆς νεῶς καὶ τοῦ σίτου εἴρηται, κατὰ ταῦτα. καὶ δίκη 5 αὐτῷ μὴ ἔστω περὶ τοῦ ἀργυρίου, ὃ ἂν ἐκδῶ ἄλλοσέ ποι ἢ Ἀθήναζε, μηδὲ ἀρχὴ εἰσαγέτω περὶ τούτων μηδεμία.

Ὁ μὲν νόμος ὧ ἄνδρες δικασταὶ οὕτω χαλεπὸς ἐστίν· οὗτοι δ' οἱ μιαιώτατοι ἀνθρώπων ἀπάντων, 10 γεγραμμένον διαρρήδην ἐν τῇ συγγραφῇ Ἀθήναζε πάλιν ἤκειν τὰ χρήματα, εἰς Χίον ἐπέτρεψαν καταχθῆναι ἃ ἐδανείσαντο Ἀθήνηθεν παρ' ἡμῶν. δανειζομένου γάρ ἐν τῷ Πόντῳ τοῦ ναυκλήρου τοῦ Φασηλίτου ἕτερα χρήματα παρὰ τινος Χίου ἀν- 15 θρώπου, οὐ φάσκοντος δὲ τοῦ Χίου δανείσειν<sup>2</sup>, εἰάν μὴ ὑποθήκην λάβῃ ἀπανθ'<sup>5</sup> ὅς' ἦν περὶ τὸν ναυκληρον, καὶ ἐπιτρέπωσι ταῦτα οἱ πρότερον δεδανεικότες, ἐπέτρεψαν ταῦτα ὑποθήκην γενέσθαι τῷ Χίῳ τὰ ἡμέτερα καὶ κύριον ἐκείνου<sup>6</sup> γενέσθαι ἀπάν- 942 20 των, καὶ οὕτως<sup>7</sup> ἀπέπλεον ἐκ τοῦ Πόντου μετὰ τοῦ Φασηλίτου ναυκλήρου καὶ μετὰ τοῦ Χίου τοῦ δεδανεικότος, καὶ ὀρμίζονται ἐν φωρῶν λιμένι, εἰς δὲ τὸ ὑμέτερον ἐμπόριον οὐχ ὠρμίσαντο. καὶ νυνὶ, ὧ ἄνδρες δικασταί, τὰ Ἀθήνηθεν δανεισθέντα χρήματα 25 εἰς τὸν Πόντον καὶ πάλιν ἐκ τοῦ Πόντου Ἀθήναζε εἰς Χίον κατηγμένα ἐστὶν ὑπὸ τούτων. ὅπερ οὖν ἐν ἀρχῇ ὑπεθέμην τοῦ λόγου, ὅτι<sup>8</sup> καὶ ὑμεῖς ἀδικεῖσθε οὐδὲν ἥττον τῶν δόντων ἡμῶν τὰ χρήματα. σκοπεῖτε δ', ὧ ἄνδρες δικασταί πῶς οὐκ ἀδικεῖσθε, 30 ἐπειδάν τις τῶν νόμων τῶν ὑμετέρων κρείττων ἐγχειρῇ εἶναι, καὶ τὰς συγγραφὰς τὰς ναυτικὰς ἀκύ-

<sup>2</sup> δώσειν, Reiske.

<sup>6</sup> γενέσθαι ἐκείνου, Reiske.

<sup>8</sup> fñrj, Reiske.

<sup>5</sup> πάνθ', Reiske.

<sup>7</sup> οὕτως, Reiske.

ρους ποιῇ καὶ καταλύῃ, καὶ τὰ χρήματα τὰ παρ' ἡμῶν εἰς Χίον ἤ<sup>ε</sup> διαπεσταλκώς<sup>1</sup>; πῶς οὐκ ἀδικεῖ ὁ τοιοῦτος ἄνθρωπος καὶ ὑμᾶς;

Ἐμοὶ<sup>2</sup> μὲν οὖν ἐστίν, ὦ ἄνδρες δικασταί, πρὸς  
 5 τούτους ὁ λόγος· τούτοις γὰρ ἔδωκα τὰ χρήματα.  
 τούτοις δ' ἐσται<sup>3</sup> πρὸς τὸν ναύκληρον ἐκείνον τὸν  
 Φασηλίτην, τὸν πολίτην τὸν αὐτῶν, ᾧ φασὶ δανεί-  
 σαι τὰ χρήματα ἄνευ ἡμῶν παρὰ τὴν συγγραφὴν·  
 οὐδὲ γὰρ ἡμεῖς ἴσμεν τίνα ἐστὶ τὰ πεπραγμένα  
 10 τούτοις πρὸς τὸν<sup>ε</sup> ἐαυτῶν πολίτην, ἀλλ' αὐτοὶ  
 οὗτοι ἴσασιν. ταῦτα ἡγούμεθα δίκαια εἶναι, καὶ  
 ὑμῶν δεόμεθα ὦ ἄνδρες δικασταί βοηθεῖν ἡμῖν τοῖς  
 ἀδικουμένοις, καὶ κολάζειν τοὺς κακοτεχνούντας καὶ  
 σοφίζομένους, ὥσπερ οὗτοι σοφίζονται. καὶ ἐὰν  
 15 ταῦτα ποιῆτε, ὑμῖν τε αὐτοῖς τὰ συμφέροντα ἔσε-  
 σθε ἐψηφισμένοι καὶ περιαιρήσεσθε τῶν πονηρῶν 94  
 ἀνθρώπων τὰς πανουργίας ἀπάσας, ἃς ἔνιοι πα-  
 νουργοῦσι περὶ τὰ συμβόλαια τὰ ναυτικά.

<sup>ε</sup> νῆ Δία φαίνεται ἀπεσταλκώς, Reiske.

<sup>1</sup> ἔστω, Reiske.

<sup>ε</sup> τὸν πολίτην τὸν ἐαυτῶν, Reiske.

## DEMOSTHENES AGAINST APHOBUS.

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THESE Orations were spoken in the year B. C. 364, Olympiad CIV. 1, in August or September. Demosthenes had just completed his eighteenth year. (Clinton *Fast. Hell.* Appendix c. 20.) This seems the most probable account, but Thirlwall (*Philological Museum*, Vol. II. p. 389) thinks that he was at this time three years older, placing his birth in the year B. C. 385. The passages from which these different calculations are made occur mostly in the speeches against Aphobus and Onetor, and the attention of the student will be called to them in their places. These speeches are called the ἐπιτροπικοί λόγοι. They are supposed to have been revised by Isæus, at this time the instructor of Demosthenes.

- 12 <sup>1</sup> Κλεοβούλην τὴν Γύλωνος. Gylon was an Athenian, who, being accused of betraying the town of Nymphæum into the hands of the enemies of the state, fled from Athens, and was condemned to death in his absence. He took refuge in the Cimmerian Bosphorus, and there married a rich heiress. (Thirlwall's *Greece*, Vol. v. p. 247.)

<sup>2</sup> εἰσελήλυθεν ἐπιτροπῆς. Understand δίκην.

<sup>3</sup> τὴν δίκην λαχών. *Having commenced the action.* Because the first step in a suit was to get assigned by lot the judges who were to try it, and the order in which it was to come on.

<sup>4</sup> τρίτος. *One of three.*

<sup>5</sup> κατὰ Ἀφόβου—ἐπανάμνησιν. There is no doubt that these words belong to the second speech, having got out

of their place by the arguments having been written altogether. The two first words are only the heading, from which the letter  $\beta$  has fallen out. They ought to be expunged here and placed before the second speech, to which they exactly correspond. Thus—

ΚΑΤΑ ΑΦΟΒΟΥ Β.

ΥΠΟΘΕΣΙΣ.

Πρὸς τινὰς ἀντιβήσεις κ. τ. λ.

- 813 <sup>1</sup> εἰ μέν—διδάσκειν. Aphobus has refused the arbitration of friends, trusting to the advantage he will have over me in court in his influence and experience. As my case requires only a short plain statement, I hope to be equal to it.

<sup>2</sup> παρασκευάσασθαι. *To provide means of defence.* “Sibi comparare, conscribere, contrahere agmen amicorum, advocatorum in judiciis, factionem, globum.” Reiske. This word is used by Demosthenes in the sense of *to corrupt* or *suborn*, (1141. 24. 1302. 9) of which, perhaps, it partakes here.

<sup>3</sup> καὶ παρ’ ὑμῖν—even in your presence. Be careful not to render, *from you*, which would be παρ’ ὑμῶν.

<sup>4</sup> ἀπολειφθῆναι—literally, *to be left behind*, as in a race, hence, *to fall short*, here, *to fail to comprehend*. See p. 1055. 20, where it means *to be unable to see* (on account of being far off). The opposite word to this would be παρακολουθῆσαι.

- 814 <sup>1</sup> ὥς ἂν δύνωμαι διὰ βραχυτάτων. *In as few words as I possibly can.*

<sup>2</sup> ἐντεῦθεν. *Beginning at that point.*

<sup>3</sup> Δημοσθένης—μαρτυρίαν. My father Demosthenes died, leaving a widow and two children, myself seven years old, and a sister five. He appointed as our guardians Aphobus, Demophon, nephews of his own, and Therippides. Aphobus was to marry the widow, and Demophon the daughter, with large portions. The whole property was

nearly fourteen talents, which is proved by the amount of contribution which was paid by these very guardians to the club in which I was enrolled.

<sup>4</sup> εἰσεννεγμένην—who had brought in (as her portion).

<sup>5</sup> δοκιμασθείην. The δοκιμασία here mentioned was the enrolment of those Athenians of legal age among the men. There is great uncertainty at what age this took place. Schömann thinks at any time between eighteen and twenty. In adopting Clinton's opinion respecting the birth-year of Demosthenes, we are forced to suppose that he at least was enrolled soon after sixteen. Schömann, p. 240. *Philolog. Mus.* II. 402.

<sup>6</sup> οἰκειότερους. *More closely connected.*

- 15 <sup>1</sup> σύμφωνα ταῦτα—παρεδεδώκασιν. The house and fourteen slaves are here valued at forty minas. Of this passage, Boeckh says, "But when, in another place, the same orator reckons fourteen sword-cutlers, (although they might have been of advanced age) together with thirty minas, at only seventy minas, he is manifestly guilty of an intentional falsehood." *Economy of Athens*, Vol. I. 94. Boeckh forgets that the house is also included, which makes the miscalculation still greater. The value of houses, however, was small. All the prices which are recorded are collected by Boeckh, Vol. I. 90, and range from three minas to a hundred and twenty.

<sup>2</sup> εἰς γὰρ τὴν συμμορίαν—εἰσέφερον. The plan by which the εἰσφορά, or property-tax, was regulated, is fully made out by Boeckh, Vol. II. 285—290. The actual property of every citizen having been ascertained, a taxable proportion was assigned to him, varying according to his wealth. Thus if his property was twelve talents or more, the taxable proportion (τίμημα) was one fifth, if six talents and under twelve, one sixth, and so on; so that the richest were rated highest. When, then, an εἰσφορά was called for, it was collected by taking a certain per centage, ac-

cording to the sum required to be raised, on the *τίμημα*. The exact nature of the *συμμορίαί*, or clubs, is far from being clearly known, our knowledge of them being only derived from Ulpian. He says, that the hundred and twenty richest men in each tribe were named and divided into two parts, a richer and a poorer, and that the richer had, in cases of emergency, to advance payment for the poorer, (*προεισφέρειν*) and that each of these bodies of sixty was a *συμμορία*. See Boeckh, II. 295.

<sup>3</sup> *πρὸς τὴν πόλιν*. *In settling their account with the state*. So in the latter part of p. 817. *πρὸς Θηριππίδην*· also in p. 818. *πρὸς τοὺς συνεπιτρόπους*.

<sup>4</sup> *ἀναγίγνωσκε*. This is addressed to the clerk.

<sup>5</sup> *Δῆλον—σκοποῦντες*. The property consisted of two workshops, one for cutlery, the other for the manufactory of beds, with the materials of all sorts and slaves employed in them, money lent to different persons at interest, a dwelling-house, furniture, and ready money.

816 <sup>1</sup> *ταύτην—εἰσφοράν*. This must not be understood that he paid a tax of three talents, but upon three talents, that being the taxable proportion of his property, which was fifteen talents. See note 2 on the last page.

<sup>2</sup> *ὑτοκείμενους*. *Which had been given to him in pledge*.

<sup>3</sup> *ἐπὶ δραχμῇ*. At the rate of a drachma for a mina, (one per cent) every month, or twelve per cent. per annum. This was the commonest rate of interest, both at Athens and at Rome, in the latter years of the republic. At Rome, it was also commonly reckoned by the month. This would be *centesimæ usuræ*.

<sup>4</sup> *τέτταρα τάλαντα καὶ πεντακισχίλῃαι*. Observe, that though Demosthenes has just told us that the slaves were worth worth five or six minas, and some three, he here reckons them, within an inconsiderable fraction, at six each.

<sup>5</sup> *ξύλα κλίνεια—ἄξια*. The *εἰς* here is remarkable. Schaeffer considers it to be used *ἐπιρρηματικῶς*, like *ad* in Latin

(in which he is followed by Funkbaenel, *Quæstiones Demosthenicæ*), or to be a confusion of the constructions ὀγδοήκοντα μινῶν ἄξια and εἰς ὀγδοήκοντα μῶν ἄξια.

<sup>6</sup> κηκίς—*gall*—the liquid obtained from the oak-apple, used for staining the handles of knives black.

<sup>7</sup> τρισχιλίων. Understand δραχμῶν, which is constantly omitted. Here the house is valued at thirty minas: it was before reckoned, together with fourteen slaves, at forty minas, which leaves a very low price for the slaves. It is sufficient explanation for this, that, before the orator was mentioning what had been restored to him, here he is enumerating the property left by his father; then it was his object to depreciate, now to exaggerate.

<sup>8</sup> χρυσία. *Golden ornaments.*

<sup>9</sup> ναυτικά. Money lent on the security of a ship or merchandize—*bottomry*.

<sup>10</sup> ἔκδοσιν παρὰ Ξούθφ. *Money lent at interest to Xuthus.*

<sup>11</sup> τραπεζή. *The bank.*

- 17 <sup>1</sup> κατὰ διακοσίας—διακεχρημένον. *Money to the amount of about a talent, lent to different persons in sums of two or three hundred drachmas.* διυκέχρημένον, from διακίχημι. The sense of distribution is contained in the δια. διακέκλεπται, a few lines down is exactly analogous.

<sup>2</sup> καὶ τὸ μὲν πλῆθος—βραχυτάτων. I will first prove what has been appropriated by Aphobus singly, beginning with my mother's portion.

<sup>3</sup> πρὸς τὸ αὐτὸ ὕδωρ εἰπεῖν. The time allowed for speaking in the courts of justice at Athens, was limited, according to the nature of the trial; it was measured by the clepsydra, an hour-glass, in which water was used instead of sand.

<sup>4</sup> οὗτος γὰρ—ἀνάγνωθι. The fact of his having taken the portion, he both admitted himself, and his fellow-guardians have entered it in their accounts.

<sup>5</sup> ἐκπλεῖν—τρίηραρχος. There are two expeditions which

may be here meant, one, under Timotheus, in the year 476. See Thirlwall's *Greece*, v. 51. The other in 474. See Vol. v. 63.

<sup>a</sup> ἀπέγραψε. *Entered in his account.* Reiske reads ἀπεγράφατο, which would mean *caused to be entered*.

118 <sup>1</sup> μισθοῦν τὸν οἶκον. To let the property or business. See p. 831, n. 1.

<sup>2</sup> τὴν μὲν τοίνυν—ἀνάγνωθι αὐτοῖς. The income derived from the slaves in the cutlery business was thirty minas a year. Half the number were sold: the remainder ought to produce fifteen minas a year. Aphobus managed this business, but has not accounted for any income, though he has made charges for the expenses of working.

<sup>3</sup> τὴν προῖκα ὀφείλειν ἐπ' ἑννέα ὀβολοῖς, that is, at eighteen per cent. See p. 816, n. 3.

119 <sup>1</sup> γίγνεται δὲ—τρία τάλαντα. This would alone show that compound interest was not yet in practice. The amount, calculating by simple interest, is four minas short of three talents.

<sup>2</sup> ἀναισχυντότατ' ἀνθρώπων. *In the most shameless way in the world.* ἀναισχυντότατος ἀνθρώπων, was so common a phrase as to be equivalent to one word; thus the adverb cannot be construed by separating the words. The strict meaning is not *in the most shameless way known among men*, but, *in a manner suitable to the most shameless of men*.

<sup>3</sup> αὐτῶν. *The slaves:* for though they have not been mentioned before in the paragraph, the words τοῦ ἐργαστηρίου, are equivalent to τῶν ἀνδραπόδων.

<sup>4</sup> ὁ ἐπίτροπος. *The foreman.*

120 <sup>1</sup> ὣν ἐναντίον ἀποδέδωκε. *In whose presence he has restored them.*

<sup>2</sup> τεκμαίρεσθαι πρὸς τὸν ἄλλον αὐτοῦ τρόπον. *To conjecture, comparing this with his practice in other things.*

<sup>3</sup> ταύτας τοίνυν—ἀναγίγνωσκε. I now come to the embezlements committed by the three guardians together.

The twenty slaves in the bed-making business, whom my father held as security for a debt of forty minas, and who produced twelve minas a year, have totally disappeared, and the guardians do not account for any earnings of theirs, though they charge for expenses.

21 <sup>1</sup> τὰς δώδεκα μνᾶς. *The twelve minas which I stated them to produce (in the enumeration of the property, p. 816.)*

<sup>2</sup> κεφάλαιον—*an item.*

<sup>3</sup> ἐράνονος λέλοιπε—*failed to pay his contributions.* ἔρανος was, first, a feast to which each guest contributed, secondly, a society for mutual assistance in sickness, &c.—a friendly society.

<sup>4</sup> ἐξῆλθεν. The nominative case to this is τὰ ἀνδράποδα.

<sup>5</sup> πρὸς τίνα δίκην ἤττηνται. *With whom they have had a suit, and lost it.*

22 <sup>1</sup> ὅτι τοίνυν—κεκομίσθαι. The only pretext set forth is that Mæriades, who gave the slaves in pledge to my father, cheated them, being a man of no substance: but Aphobus himself lent the same Mæriades five hundred drachmas on the security of the same slaves, which was repaid to him. How then could the security which I had, being prior to that which Aphobus had, be a bad one?

<sup>2</sup> Μοιριάδης. The owner and mortgager of the slaves. οὐδ' ἦν τῇ πατρὶ—συμβεβλημένον, *and that this loan was no lent on the security of the slaves imprudently.*

<sup>3</sup> παρὰ τοὺς κλινοποιούς. *Under the head of the slaves in the bed-making business.*

<sup>4</sup> καὶ μὴν,—ἀφανίζουσιν ὅλον. They account for no materials in either trade, and yet my father was in the habit not only of using large quantities, but of selling the raw materials.

23 <sup>1</sup> προσωνεῖσθαι—to buy besides.

24 <sup>1</sup> Ἐτι τοίνυν—ἀνάγνωθι. The property which they admit to have received, after deducting what they have repaid, and making every other possible allowance, amounts, with

interest, to seven talents, of which Aphobus is answerable for more than three.

<sup>2</sup> παρὰ τὸν λόγον ὃν ἀποφέρουσιν. *According to their own returns.*

<sup>3</sup> τὰ τ' ἀναλωμένα—ἀφαίρων—and *this I will show besides, estimating the outgoings at a larger sum than that at which they have estimated them, and deducting all that they have refunded of the property.*

<sup>4</sup> τούτου τρίννυ—ἀνδραπόδων. See p. 816. Θηριππίδης μὲν οὖν ἑπτα ἔτη ἐπιμεληθεὶς τῶν ἀνδραπόδων ἑνδεκα μνᾶς τοῦ ἐνι-  
αυτοῦ ἀπέφηνε.

<sup>5</sup> ὀκτὼ τάλαντα καὶ χιλίας. There is some error here, as the sum is 8 talents, 48 minas, 60 drachmas.

125 <sup>1</sup> τούτῃ πλείω εἰμι τεθεικώς. *I have reckoned it more than they have, by this sum.* See p. 858. ἐλάττω μικροῖς, and Aris-  
toph. *Equites*. 318. μεῖζον δύοιν δόχμαιν.

<sup>2</sup> τί οὖν ποτ' ἐστὶ τὸ δεινόν. *In what does extreme impu-  
dence consist?* after τηλικαύτας the ellipse is ὥστε εἶναι τὸ  
δεινόν.

126 <sup>1</sup> Νομίζω—ἀπόκρισιν. My father left a will containing full directions about the disposal of his property. Both Aphobus and Therippides admit the fact of a will having been left, but they do not produce it—of itself a strong proof of their dishonesty.

<sup>2</sup> καὶ τὸν οἶκον ὅπως μισθώσοιτο. μισθώσοιτο must here be taken as the future middle in a passive sense, as it is quite impossible that Demosthenes should have used the middle (of which the proper sense is *to hire*) with the sense of the active, *to let*. Seventeen words, of which the future middle form is used, as μισθώσοιτο here, in a passive sense, in Greek tragedy, are given by Monk. *Hippolytus*, 1458. For the use of the future optative see Dawes's fifth canon. Donaldson's *Gr. Theatre*, p. 500. Translate, *And about the property, how it was to be let.*

<sup>3</sup> Μαργυρίαί. The evidence read here, and the next is

that of persons in whose presence questions had been put to the guardians severally respecting the will. Here, apparently was a statement of the answers given by Therippides, in the following place by Aphobus. The ensuing οὗτος then is Therippides.

- 827 <sup>1</sup> Οὗτος αὖ—ἀνάγνωθι. The amount of the legacies which my father left to these my guardians, is of itself an argument that the estate which he destined for me was very much greater than what they reckon it at.

<sup>2</sup> περὶ δὲ τῶν αὐτῶ—αὐτός. *Aphobus says, that of what was left to him, an account was indeed given in the will, but that he did not accept it.*

<sup>3</sup> τὸ μισθοῦν τὸν οἶκον. *Directions that the property was to be let.* See p. 831, n. 2.

- 828 <sup>1</sup> πῶς οὖν ἂν τις—ἐπιδείξειεν. Here Demosthenes recapitulates the various embezzlements which he has before proved.

<sup>2</sup> ἐτόλμα τοῖνυν—ἐπιδείκνυσιν. When this cause came on before the arbitrator, Aphobus made all sorts of unsupported assertions, saying that he had paid debts of my father's to his fellow-guardians and others. He also offered to prove that I was actually possessed of ten talents, but when called upon to prove it, did not.

<sup>3</sup> διαιτητῇ. The διαιτηταί, or arbitrators, were of two sorts, those chosen by mutual agreement, and those appointed by the state. The διαιτητῆς here was one of the latter. The whole question of the διαιτηταί is somewhat obscure. At one time every civil action came before them, now it was optional with the plaintiff. The number of the public arbitrators was probably four from each tribe. Their decision might be appealed against. See Kennedy's *Demosthenes*, note 9. *Dictionary of Greek and Roman Antiquities*, on the word Διαιτηταί.

- 829 <sup>1</sup> οὕτως ἐπιτροπευθεῖς. *If he had had guardians who had so administered his property.* You would expect αὐτὸς between these two words.

<sup>2</sup> οὐδ' ὡς οἱ συνεπίτροποι παρέδωσαν. *Nor did he pay over the money as his fellow-guardians did.* Observe the difference of the Greek idiom from the English. The English would be, οὐδ' ὡς οἱ συνεπίτροποι παρέδωκεν. See *Bacchæ*. 687. Plato *Sympos.* 179. E.

<sup>3</sup> οὐ γὰρ ἂν αὐτοῦ κατεδίχησε. *For [if he had proved me to be possessed of the money,] the arbitrator would not have decided against him, [but he did decide against him, therefore he cannot have proved it.] καταδαιτᾶν, To decide an arbitration against the defendant, and ἀποδαιτᾶν to decide in favour of the defendant, follow the analogy of καταγιγνώσκειν and ἀπογιγνώσκειν.*

<sup>4</sup> μαρτυρίαν τοιαύτην. *Some evidence of this sort, namely, that he offered to show that my property amounted to ten talents.*

130 <sup>1</sup> πολλὰ τοίνυν—χρήσεται. He has actually asserted that my father left me four talents buried, in my mother's charge. What man in his senses would take such a course from distrust of the guardians, and at the same time direct that my mother should marry Aphobus, one of them, which would put her entirely in his power? If Aphobus had known of this sum, would he have refused to marry her?

<sup>2</sup> ψιλῶ λόγῳ. *His bare word.*

<sup>3</sup> ὑπ' ἐκείνων. There is a difficulty here. Reiske wants to read ἀπ' ἐκείνων, *in consequence of those assertions.* Schaefer ὑπ' ἐκείνου *by the arbitrator.* As the text stands, it can only be taken to mean *by the persons present at the arbitration*, or something like τῶν ἀμφὶ τὸν δαιτητὴν.

<sup>4</sup> μανία γὰρ δεινὴ—κυρίου ἐποίησεν. The argument here is: If my father buried this money, it must have been from distrust of my guardians. If he distrusted them, he would not even have committed to them the rest of my property, much less would he have told them that he had buried any.

31 <sup>1</sup> πολλὰ μὲν οὖν—δήπουθεν. If my property had been

leased out, it would have been trebled. If there was any reason against that course, let them make good the principal, at least.

<sup>a</sup> μισθώσαντι τὸν οἶκον. "The letting here spoken of is unknown in this country. It was a lease, or rather a loan, of the whole property: land, goods, money, business and goodwill, everything (in short) out of which pecuniary profit might be derived. It was a common mode of disposing of a ward's estate, so that it might improve during his minority." Kennedy's *Demosthenes*.

832 <sup>1</sup> πρὸς τὸν χρόνον τε καὶ τὴν ἐκείνου μίσθωσιν. *In proportion to the length of time and the terms of Antidorus's lease.* For this use of πρὸς, compare Thucyd. III. 113, ἄπιστον τὸ πλῆθος λέγεται ἀπολέσθαι ὡς πρὸς τὸ μέγεθος τῆς πόλεως. Supposing that Antidorus's property would have been exactly trebled in ten years, the sum paid him must have been six talents, eighteen minas. But Demosthenes is not very close in his calculations, generally overstating sums in his own favour, or, if ever he understates, taking special credit to himself for so doing; so that I can by no means agree with Thirlwall, who says (*Philolog. Mus.* II. 394), "The exact time (of Demosthenes's minority,) was, undoubtedly, well known, and appears never to have been a subject of dispute between the litigants. Demosthenes mentions it as the basis of his calculations of the interest of sums due to him. But he avoids the appearance of demanding anything more than is due to him upon the most moderate computation. It seems, therefore, very doubtful whether the pleader would have thought it expedient to name a time longer than that which really elapsed." This is in answer to Clinton, who argues, that Demosthenes's statement of the time (ten years, in one place called δέκατον ἔτος) is not inconsistent with his calculation, which makes it nine years and nine months. He lays great stress, I think justly, on the inclusive

mode of reckoning so general among the Greeks and Romans.

<sup>2</sup> ὁ δὲ καὶ προσοφείλοντά με αὐτῷ ἀπέγραψε. *And one even entered me as indebted to him over and above.* See p. 825. Δημοφῶν δὲ καὶ προσοφείλοντας ἡμᾶς ἐνέγραψεν.

<sup>3</sup> τοσαύτης τοίνυν—ἔτει δεκάτῳ. *Conclusion.* Surely I am to be pitied, who, if I had had guardians of moderate honesty, should have come into a good estate, much enlarged under their hands, instead of which, it is very much less than my father left, so that I am actually in danger of destitution if I do not gain this cause.

<sup>4</sup> τοῦ τρίτου μέρους—μνᾶς. This is not an uncommon construction in Greek, though very awkward if literally rendered in English. *And when my property produced a revenue of fifty minas, (that is to say) a third part of it.* See above, p. 817.

<sup>5</sup> ἐὼντας ὥσπερ εἶχε κατὰ χώραν. *Leaving the property just as it was, that is, not leased out.*

<sup>6</sup> προσπεριποιεῖν. *To save besides.*

<sup>7</sup> τὴν δ' ἄλλην οὐσίαν ἐνεργὸν ποιήσασιν. I do not think that this is meant to be consistent with the system spoken of in the preceding lines, (ἀπο μὲν τούτων—προσπεριποιεῖν) as it is understood by Wolf and Kennedy, but is opposed to the εἰ μὴ μισθοῦν τὸν οἶκον ἡβούλοντο. *Translate, But if they made the rest of the property productive.*

133 <sup>1</sup> οὐ πρόσδοδον μὲν—φάσκοντες. *And of this they do not merely withhold the interest while they openly produce the capital, but they impudently pretend that the very capital itself has been spent.*

<sup>2</sup> εἰ κατελείφθην—αὐτῶν. Clinton draws the following argument from these words (see p. 822, n. 1): "We affirm that, when the orator calls a period in one place ἔπ' ἐτῶν (p. 814), and divides it on another occasion into ἐνιαύσιος and ἕξ ἔτη, (which latter portion he terms ἕκτον ἔτος in the same sentence) he cannot mean *seven years and*

a half; and that he cannot mean *ten years and a half*, when he calls another period ἔτει δεκάτῳ in one passage, and δέκα ἔτη in all the others." *Fast. Hell.* Vol. II. Appendix. chap. 20.

834 <sup>1</sup> ὥσπερ—ἀδικηθέντες. *As if they had been most deeply injured by my family.* By the ἡμῶν here, Demosthenes means his father, rather than himself, as a few lines below, δωρεὰς παρ' ἡμῶν προσλαβόντες.

<sup>2</sup> ἀφείλεσθε. *Are wont to take.* For a collection of examples of this use of the aorist, see Matthiæ, § 502. 3. The imperfect is also used in the same way.

<sup>3</sup> ἐπωβελίαν. The fine of one sixth of the sum at which the damages were laid, (an obol for every drachma) which the plaintiff in actions for damages had to pay, unless he obtained the fifth part of the votes. This was to prevent frivolous actions.

<sup>4</sup> τούτῳ μὲν—ἀτίμητον. *For Aphobus, if you decide against him, the damages will have to be assessed, \* \* \* but the loss to me is fixed if I fail: that is, will not have to be assessed.*

835 <sup>1</sup> ἡτιμωμένος. If this fine should be inflicted, Demosthenes would be unable to pay, and therefore would become a state debtor, and would, ipso facto, lose his power of voting and speaking till he paid the fine.

## SECOND SPEECH AGAINST APHOBUS.

THIS speech answers certain arguments of Aphobus, and recapitulates the whole case; the whole of the evidence being read over again.

<sup>2</sup> πολλὰ καὶ μέγала—δεδιότες. Aphobus says, that my father forbade the property to be leased out, because his father-in-law, Gylon, is a state debtor; while he produces

evidence that Gylon was once a state debtor. Had I not been taken unprepared, I would have produced evidence of Gylon's debt having been paid: however, that is sufficiently proved by the fact, of my father and Demochares, who married another daughter of Gylon, never having, in any way, concealed their property.

<sup>3</sup> εἶπε γὰρ ὡς ὁ πάππος ὤφειλε τῷ δημοσίῳ. See p. 812, n. 1. This imputation is repeated by Æschines, in *Ctesiph.* § 171. It is conjectured, from the expressions just below, where Demosthenes admits οὐχ ὡς ὀφείλει ἀλλ' ὡς ὤφλεν, either that the sentence had been remitted before Gylon's death, (Thirlwall's *Greece*, Vol. iv. p. 247, n. 2) or that in the amnesty, after the expulsion of the thirty tyrants, Gylon's sentence was commuted for a fine, which he paid. (Kennedy's *Demosthenes*, note 14, on state debtors.)

336 <sup>1</sup> ὡς ὤφλεν. *That he incurred the debt.*

<sup>2</sup> ἐνεβάλετο. *Put into the box.* εἰς τὸν ἐχῖνον. All evidence was produced in the form of depositions. The box was kept open by the archon for a certain number of days, during which both parties had access to it. Afterwards, it was sealed till the trial, and neither could use any evidence or document which was not in the box. This use of ἐμβάλλομαι occurs in the speech *Πρὸς Βοιωτὸν ὑπὲρ προίκος*, p. 1014. *κατὰ Στεφάνου*. A. p. 1104. *κατὰ Κόνανος*, p. 1266.

<sup>3</sup> Εἰ ἐξεγένετο. *If I had had an opportunity.* See *πρὸς Μακάρτατον*, p. 1052. *πρὸς Εὐβουλίδην*, p. 1302.

<sup>4</sup> τέτταρα τάλαντα καὶ τρισχιλίας. This is the sum of the portions of eighty minas with the widow to Aphobus, and of two talents with the daughter to Demophon, and of the seventy minas left to Therippides, till Demosthenes should come of age. See p. 814.

<sup>5</sup> ἡγέμονα—εἰσφέρειν. See p. 815, note 2, the ἡγέμονες τῶν συμμοριῶν were the wealthiest, who had to advance the contributions of the poorer.

37 <sup>1</sup> πάντων δὲ—λέγωσιν. If it were true that my father forbade leasing out the property, he ought all the more to have produced the will.

<sup>2</sup> τὰς διαθήκας. This includes both the ὑπομνήματα and τὴν διαθήκην, and is therefore in the plural.

<sup>3</sup> ὅν—ἣν—ἐπανελθεῖν. *In which case they could have had recourse.* See Elmsley and Monk quoted in *Gr. Theatre*, Miscellaneous Extracts, vi. p. 516, Donaldson.

<sup>4</sup> ἕτερα μὲν παρασημειῖσθαι ἤξιωσαν—αὐτὴν δὲ τὴν διαθήκην—ταύτην δὲ οὐκ ἐσημείναντο. The repetition of the δέ here is very elegant. See Matthiæ, § 622. 5.

<sup>5</sup> ἀλλ' ἐγὼ οὐκ οἶδα—λέγοντες. How inconsistent are your pretences. You say it was necessary to conceal the property, so you conceal it from me, though you openly declared its amount to the state. Where is the property on which you paid taxes for me? It must be distinct from the portions and legacy, for they were not then mine.

<sup>6</sup> πότερον ἐμοὶ ἢ τῇ πόλει; The answer to this question is omitted as obvious, but immediately referred to, as if it had been expressed, in the word τούναντίον.

38 <sup>1</sup> τὰ δύο τάλαντα καὶ τὰς ὀγδοήκοντα μνᾶς. The portions paid to Demophon and Aphobus respectively. See p. 836, note 4.

<sup>2</sup> Λαβὲ δὴ τὰς μαρτυρίας—δέκα τάλαντα ἔχει. λέγε τὰς ἐφεξῆς. Here the evidence which was put in in the former speech, is repeated in exactly the same order as before.

<sup>3</sup> μνησθέντες καὶ τῶν μεμαρτυρημένων. *Recalling to your minds also the evidence which has been before put in.*

39 <sup>1</sup> ταῦθ' οὗτοι—δίκας. All this cruelty of my guardians is in spite not only of my father's generosity, but of the most solemn entreaties made on his death-bed. Aphobus was not even yet satisfied, but since the commencement of this action procured the exchange of properties to be offered me, so that, to avoid trouble, and the risk of losing my right to prosecute this suit, I had to undertake the expense of trierarchy.

40 <sup>1</sup> ἐλεῖσθαι. The defendant usually attempted, and indeed was expected to appeal to the compassion of the jury by entreaties. Here, and in the first speech, and more directly afterwards, Demosthenes denies Aphobus's right to this privilege, (for such it was thought) and claims to put himself in the situation of defendant in this respect. Sometimes the defendant placed his children by his side and represented the ruin which threatened him and them. This was also the custom at Rome.

<sup>2</sup> ἀντίδοσιν. See note 2 of the following page.

341 <sup>1</sup> Θρασύλοχος. This Thrasylochus was the brother of Meidias, with whom Demosthenes had a personal quarrel, the cause of which does not appear, but probably Meidias was a friend of some of the guardians. Sixteen years after this, Demosthenes brought an action against Meidias, for an assault committed upon him while choragus. In the speech which he wrote for that trial, but never spoke, he thus represents the occurrence here mentioned. οὗτος in the following quotation means Meidias, being almost always applied in judicial speeches to the opposite party. "Ἡνικα τὰς δίκας ἔλαχον τῶν πατρῶν τοῖς ἐπιτρόποις, μειρακύλλιον ὦν κομιδῇ καὶ τοῦτον οὐδ' εἰ γέγονεν εἰδὼς οὐδὲ γιγνώσκων, ὥς μηδὲ νῦν ὄφελον, τότε μοι μελλουσῶν εἰσιέναι τῶν δικῶν εἰς ἡμέραν ὥσπερ εἰ τετάρτην ἢ πέμπτην εἰσεπήδησαν ἄδελφός ὁ τούτου καὶ οὗτος εἰς τὴν οἰκίαν ἀντιδιδόντες τριηραρχίαν, τοῦνομα μὲν δὴ παρέσχεν ἐκεῖνος καὶ ἦν ὁ ἀντιδιδούς Θρασύλοχος· τὰ δ' ἔργα πάντ' ἦν καὶ τὰ πραττόμενα ὑπὸ τούτου. pp. 539, 540.

<sup>2</sup> ἀντέδωκα μὲν ἀπέκλεισα δὲ ὥς διαδικασίας τευξόμενος. Translators differ about this passage. Schaefer's way of taking it is, "*I accepted the exchange but reserved the right of bringing my suit to an end,*" which I do not think the Greek would bear, even if *διαδικασία* could be used of any suit, as this present one. Kennedy renders, "*I accepted the exchange, but refused to give possession, hoping to obtain a legal decision.*" The difficulty arises from our imperfect knowledge

of the ἀντίδοσις. It appears that the person to whom the exchange was offered, was not forced at once either to accept the exchange or take the office, but that he might appeal to a court, held on purpose by the generals, if he had any plea for exemption, (such as a pending action of this sort) to be relieved from the alternative. διαδικασία means a decision of this nature, not a verdict in the suit with the guardians. See Boeckh, vol. II. 369, 370. Kennedy's *Demosthenes*, note 15, on Burdensome Offices. Kennedy points out a mistranslation in the english edition of Boeckh in the last sentence of the paragraph to which I have referred, which, as it stands, is directly contradicted by this very passage of Demosthenes. He corrects it thus: "Lastly, the party to whom the offer was made, might, even after the sealing, stop the cause from coming into court, and accept the office, as Demosthenes did."

<sup>3</sup> τὴν λειτουργίαν. It appears from the speech against Meidias, p. 540, that the sum paid was twenty minas, for which Thrasylochus had contracted to get the office served. Though not so stated in the same passage of the Meidias, it appears from another that it was a half trierarchy. ὅτε σὺνδύο ἤμεν οἱ τριήραρχοι, p. 564. For the συντριηραρχία see Boeckh, II. 328. For the usual amount of the expenses of the office, see II. 366. This practice of contracting had long before this destroyed the efficiency of the Athenian navy.

<sup>4</sup> Ἄρ' οὐ μεγάλα—ἀποπεφηνέειν δοκῇ. Conclusion. I call upon you to pity myself, my helpless mother, and sister: compare our present wretched state with the prospects to which my father left us. Do not deprive me of the power of continuing to perform public services, for the purpose of increasing the wealth of Aphobus, which increase will be of no service to you, as he will be forced to conceal it.

<sup>5</sup> ποῖ δ' ἂν τραποίμεθα—ὀφλωμεν. *To what can I betake myself if you come to any different decision about these things?*

*To the property mortgaged to those who lent me the money? That belongs to the mortgagees. To the residue of that property? That becomes the property of Aphobus, if I incur the fine of the sixth part. See p. 834, note 3.*

342 <sup>1</sup> οὕτως δναισθε τούτων. This is not an uncommon expression, used either as an entreaty, as here, or in solemn assertions, without any noun after it.

μη νῦν δναίμην, ἀλλ' ἀραῖος, εἴ σέ τι  
δέδρακ', ὀλοίμην, ὣν ἐπαιτιᾷ με δρᾶν.

ŒDIPUS R. 644.

*δναίο* is used in several places in the Greek plays as *mayst thou be happy!*

#### 143 SPEECH IN DEFENCE OF PHANUS.

<sup>1</sup> Πρὸς Ἀφοβον. THE preposition *πρὸς* is here used, not *κατά*, because, in the present speech, the orator is not suing Aphobus, but defending Phanus against Aphobus, who is in this case the plaintiff. F. A. Wolf thus draws the distinction: Scilicet *κατά* quasi domicilium habet in accusatione, *πρὸς* tantum *præsentem in judicio signat, non reum factum*. Prolegomena in Leptinem, p. 152.

<sup>2</sup> ψευδομαρτυριῶν. Many of the different sorts of trials are described by a plural. (δίκη παρανόμων—δῶρων—κακοτεχνιῶν κ.τ.λ.) There was no criminal prosecution for giving false evidence, but this was an action for damages. In some cases, however, if a certain proportion of the witnesses, sometimes even one, were convicted of false evidence, there might be a new trial, besides which, the person in whose favour the evidence had been given, (as Demosthenes in this case) was liable to an action for subornation, *κακοτεχνιῶν*. See Kennedy's *Demosthenes*, note 16, on Witnesses, p. 244. Also an article, by the same

writer, in the *Dict. of Greek and Roman Antiquities*, under *Μαρτυρία*.

<sup>14</sup> <sup>1</sup> Εἰ μὴ πρότερον—πονηρός. My former success gives me confidence again to come before you with a plain statement, relying on the justice of my cause.

<sup>2</sup> Θαυμαστῶς ὥς. This phrase is considered by Passow to be stronger than θαυμαστῶς by itself. He compares it with a German expression, to which we have nothing analogous in English. I think it is either a confusion between θαυμαστῶς and θαυμαστὸν ὥς, or the latter expression with the termination altered by a species of attraction.

<sup>3</sup> πῇ παρακρούεται—αὐτῶν. *How he is deceiving you respecting each of them.* (τῶν ἀδικημάτων.) The αὐτῶν has been suspected, and numerous alterations proposed. As it stands, I prefer taking it to mean *the injuries*, to understanding it generally as if it were equivalent to τῶν πραγμάτων. This use of the word παρακρούομαι, common in Demosthenes, is differently explained. One of the earliest senses of the word is, *to strike a harp out of tune*. Harpocraton explains it, as coming from shaking a measure or scale, so as to give unfair measure or weight, and quotes the following line, which he attributes to Sophocles:

ὥς μήτε κρούσης μήθ' ὑπὸ χεῖρα βαλῆς.

F. A. Wolf, adopting this, supposes that in the passage of the Leptines, where it is used, (p. 479, where it is applied to the artifices of Themistocles in rebuilding the walls of Athens) it has a very contemptuous sense, as being derived from petty gains. Stallbaum (referring to the *Etym. Magnum*) says that it is the term for a trick in wrestling, παρακρούειν ἢ ποδὶ ἢ χειρὶ. See his note on *Crito*, p. 47, A. where the word is used in the active voice, in the sense of *disturbing one's equanimity*.

<sup>4</sup> σὺν θεοῖς εἰπεῖν. This idiom is well rendered by Ken-

nedy, "With the help of the Gods be it spoken." Heindorf, on *Theætetus*, p. 151, A., says: σύν θεῷ εἰπεῖν. Crebra modestiæ formula quam bene explicat Steph. "quod ita dico, ut in eo opem divinam agnoscam." *Protag.* p. 317. B. *De Legg.* ix. p. 858. B. Aristoph. *Plutus.* 114.

Οἶμαι γάρ, οἶμαι, ξὺν θεῷ δ' εἰρήσεται,  
ταύτης ἀπαλλάξειν σε τῆς ὀφθαλμίας.

<sup>5</sup> κοινοί. *Impartial.* Thucyd. iii. 53. In Thucyd. iii. 68, it is used, speaking of a city, in the sense of *neutral*.

<sup>6</sup> οἶδα μὲν οὖν—καταγνοίητε. Aphobus expects to meet with pity, as a man ruined by the heavy verdict, but how is this consistent with fact? Since the decision, though I was willing to agree to any fair compromise, he has put every difficulty in my way, having made over all his property to different persons, and gone himself to live at Megara.

<sup>7</sup> δίκην εἴληχε. See p. 812, note 3.

<sup>8</sup> τιμημάτων. See p. 834, note 4. In a *τιμητὸς δίκη*, after the plaintiff had got a verdict, came the *τίμησις*, in which the defendant proposed some amount of damages, and the question was between the assessment of the plaintiff and that of the defendant. The second part of the Apology of Socrates turns upon this. Here Aphobus proposed a talent. See below, p. 873.

345 <sup>1</sup> εἰ ἐπεπράγμην τοῦτον. *If I had exacted from Aphobus.*

<sup>2</sup> Ἀφόβῳ. Who this Aphobus was does not appear. H. Wolf, with great probability, conjectures Αἰσίῳ. See p. 849, note 3.

<sup>3</sup> Περὶ μὲν οὖν—διδάξαμι. Phanus is now sued for having deposed to having heard Aphobus admit, that Milyas, whom he demanded afterwards to be examined by torture, was a free man. I hope to prove to you that Phanus's evidence was perfectly true.

<sup>4</sup> τῶν μεμαρτυρημένων. The evidence given by Phanus now in question.

46 <sup>1</sup> ἐκ βασάνου—ἐλέγχους. It appears from this, and many other passages, that the evidence of slaves under torture was more depended on than any other. See *Dict. of Greek and Roman Antiquities*, under βάσανος, and the passages there referred to.

<sup>2</sup> ἐγὼ γάρ—ἀκούσαντες. The evidence, on which I gained my cause against Aphobus, was that of persons who spoke to the amount of property left by my father, none of which he has impugned; but sues Phanus, whose evidence related to a merely collateral point. He well knows that if he were to dispute any of the main facts, a more minute discussion would but the more firmly establish them.

<sup>3</sup> καταψευδομαρτυρήσαμενος. The sense of the middle voice is here to be observed. *Having procured false evidence against him.* Compare κατεπιorkήσομενος, in the speech against Conon, p. 1269.

<sup>4</sup> μαρτυριῶν—καταμαρτυρουσῶν. The nominative to ἔδοσαν (οἱ μάρτυρες) has to be supplied from the obvious sense.

347 <sup>1</sup> ἀλλ' ἢ. *Except.* Schaefer considers this expression to have been, originally, ἄλλο ἢ, and to have been afterwards used in the sense of *except*, even where it could not be resolved into ἄλλο ἢ. *Apparat. Crit.* note to p. 181. 13. I do not see why it should have lost its accent. I consider it, originally, a confusion between "he did nothing else, but (ἀλλά) he did this," and "he did nothing else than (ἢ) this."

<sup>2</sup> τῶν ἐπιγεγραμμένων. *The sum specified; in the ἔγκλημα.* See below, p. 853,—in libello accusatorio. Reiske. "The bill of plaint." Kennedy.

<sup>3</sup> τοῦ παντός ὕδατος. See p. 817, note 3.

<sup>4</sup> ἀποκρίσει. *The evidence of his own answer.*

<sup>5</sup> ἐγὼ γάρ—μάρτυρας. I offered to deliver, to be examined by torture, a slave who was present when he made

the answer deposed to by Phanus, and who took it down in writing, but Aphobus refused—a clear proof that he was conscious of having spoken the words.

<sup>6</sup> τῇ γραμματείῃ. “A tablet hung up in court, containing a statement of the cause and issue to be tried.” Kennedy.

348 <sup>1</sup> ἀπλῶς—γράψαι. Understand παρῇν, not κελενσθείς. *He was present, simply for the purpose of writing.*

<sup>2</sup> οὕτω τοίνυν—οὐ σαφές. So inconsistent is he, that he pretends that he demanded to examine my slave on certain other points, though he refused to examine him about the very question at issue.

849 <sup>1</sup> Ἐτι τοίνυν—δεῦρ’ αὐτούς. Evidence to the very same effect as that of Phanus was given by Æsius the brother of Aphobus, though he now denies his own evidence after having admitted it at the trial—the proper time for denying it, if false.—The falsehood of it (if it had been false) might moreover have been proved by the evidence of the slave.

<sup>2</sup> Ἀφόβῃ χρωμένον. *Intimate with Aphobus.* χρῆσθαι φίλῃ is a common expression in this sense in Demosthenes, but χρῆσθαι alone is rare. Reiske quotes from the second Olynthiac, οὐδεὶς ἔστιν ὄντιν’ οὐ πεφενάκιεν τῶν αὐτῷ χρησαμένων, p. 20. Where however the word means rather, *those who have had any dealings with him.* Valckenaer Hippolytus, 997, quoted by Passow, cites a passage of Isocrates (Evagoras), p. 197, πολλὰ μὲν τῶν χρωμένων ἡττώμενος, ἅπαντα δὲ τῶν ἐχθρῶν περιγεγόμενος, which is Valckenaer’s own reading for πολλὰ μὲν τῶν ὁμιλούντων ἑταίρων χρωμένων κ.τ.λ. of which ὁμιλούντων ἑταίρων he considers to be a gloss. Hi. Wolf expunges the words ὁμιλούντων and χρωμένων. The student will find an instance of χρῆσθαι in this sense below in the speech against Apaturius, p. 894, and also in the speech against Lacritus, p. 925.

<sup>3</sup> ἑμαντοῦ ὄντα ἀντιδικόν. This can only be understood as meaning, that there was actually a suit between Demosthenes

and Æsius, because otherwise the words would be synonymous with *συνεροῦντ' αὐτῷ τὴν δίκην*, and in that case the words *ἔτι δέ* would be much too strong. It is very probable that an action was on foot at the time when this was spoken, particularly if we adopt the conjecture of H. Wolf, p. 845, note 2, of *Αισίῳ* for *Ἀφόβῳ* (which conjecture I think much strengthened by this passage, though Wolf has omitted to quote it), but it could not have been even contemplated at the time when the action against Aphobus was begun. I have no difficulty in believing Demosthenes guilty of an intentional anachronism.

<sup>4</sup> οὐ γὰρ ἔχει λόγον—μάρτυρα. There is a slight confusion here. The sentence begins with the general assertion, that *unless the evidence ascribed to him were true, it would be absurd for any one to call as a witness one who was at variance with him*, and then turns to the particular case, *and the brother of Aphobus*. This sort of careless construction is very common in Thucydides, but not so in Demosthenes. One MS. omits the words *καὶ τούτου ἀδελφόν*.

<sup>5</sup> ἥνικα—ἀφέλει. See p. 829, note 3.

<sup>6</sup> δίκην βλάβης. “βλάβη in a legal sense, comprehends a great variety of wrongful acts or *torts*, whether committed with force, or leading only to consequential damage; and also breaches of contract. The word therefore is untranslatable. *Trespass* (in its ancient and more enlarged sense) would come the nearest; but then our action of *trespass* is restricted to wrongs committed with force and violence, which makes it inapplicable.” Kennedy.

<sup>7</sup> ἴνα . . ἐδόκουν. See p. 837, note 3.

<sup>8</sup> ἀλλ' ὁμοίως—βασάνους. *But both brothers alike are found to avoid the proof of torture about this fact also, namely, the fact of Æsius having given the evidence. Reiske understands, the fact of my having offered my slave to be tortured, and their having refused.* This is improbable, as it would imply that Demosthenes offered to prove by torture the fact of his

having made the offer of giving up the young slave to be tortured, an offer which probably was not denied to have been made, and which at any rate would not have required such proof. See p. 848, ἀλλὰ μὴν οὐχ εἶς—παρόντων.

350 <sup>1</sup> ὁ τοίνυν—μαρτυρίαν. I actually have the evidence of Aphobus himself to the truth of that statement for which he sues Phanus, for in an action against his uncle Demon, I called upon Aphobus as one of my witnesses, and reduced him to the alternative of deposing to having confessed Milyas to be free, or of denying it on oath, of which he chose the former.

<sup>2</sup> προσκαλοῦμαι—ψευδομαρτυριῶν. The course which Demosthenes took was as follows:—In the action which he brought against Demon he summoned Aphobus as one of his witnesses; the evidence which he wrote down, and called upon Aphobus to depose to, was exactly the same as that of Phanus, now called in question. This evidence Aphobus, rather than subject himself to the danger of denying on oath what could be proved true, deposed to.

<sup>3</sup> τί μαθὼν ἐμαρτύρησεν. *What could he be thinking about to depose?*

<sup>4</sup> καὶ περὶ τούτων. This is the third point on which Demosthenes offered his slave; namely, that Aphobus before the arbitrator had himself deposed to the fact of his having admitted that Milyas was free.

351 <sup>1</sup> τῶν μαρτύρων. Phanus, and, probably, others who had given the same evidence with him, and who, if Aphobus had succeeded in this action, would have immediately been subjected to actions. The argument is this: I offered my slave to prove under torture that Aphobus before the arbitrator had deposed that he had confessed that Milyas was free. Aphobus's rejection of this offer sufficiently proves the truth of the evidence which the slave would have given, and therefore I have not called witnesses who were present, fearing that I might get them into trouble. You must not

allow the absence of such witnesses to influence you against Phanus and the rest, who are the first defendants who ever had the direct evidence of the plaintiff (namely, that given before the arbitrator,) to prove their own case.

<sup>2</sup> διὰ τοῦτο. On account of my not producing witnesses to prove Aphobus having given this evidence before the arbitrator, but contented myself with proving the offer.

<sup>3</sup> τούτων, subaudi. ἃ ἐμαρτύρησεν. Reiske.

<sup>4</sup> πρόσκλησιν. This is an alteration of Reiske's for the MS. reading πρόκλησιν, in which he has been followed by Bekker and Dindorf. Kennedy adopts the old reading, showing that the *summons* of Aphobus proved nothing. Reiske gives no reason for his alteration. It may be said that the two former challenges not having been made in writing, but only verbally before witnesses, and deposed to by them, there is no reason why this should have been differently made.

<sup>5</sup> τηλικαῦτα τοίνυν—οὐκ οἶδα. I wish you to observe that my principal witnesses are at least as much inclined to favour Aphobus as me. They are all men of property and of high character.

<sup>6</sup> κέρδεσι ἐπαιρομένους. Thucyd. iii. 38.

352 <sup>1</sup> ταῦτα τοίνυν—μάρτυρας. Aphobus now says, not only that he never admitted Milyas to be free, but that he is a slave. My mother offered to swear in the most solemn way that my father freed him on his death-bed, which Aphobus declined.

<sup>2</sup> κατ' ἐμοῦ καὶ τῆς ἀδελφῆς—παραστησάμενη. *Placing by her side my sister and me, and devoting us to destruction if she swore falsely.* This was the most solemn oath of all, as a parent's curse has been considered very effectual in all ages. See Kennedy, Demosth. note 17. The expression, to swear κατὰ τινος, is only used in this sense in the older writers; for in swearing by victims, (καθ' ἱερῶν) the death of the victim represented the destruction which the person

swearing invoked on himself if he swore falsely. In late Greek *κατά* is used indiscriminately, see Hebrews, vi. 13, 16.

<sup>2</sup> *τοσαῦτα τοίνυν—ἔχοντ' ἐστίν.* Aphobus evades the direct question by bringing forward again the questions decided in the former suit. Even here, though unprepared, I will endeavour to meet him.

153 <sup>1</sup> *Τιμοκράτην.* This man occurs in many places in Demosthenes. He is spoken of as a friend and assistant of Meidias, (see p. 841, n. 1.) p. 560. He was at this time archon, and was the first husband of Onetor's sister, afterwards married to Aphobus, and will be often mentioned in the next speech, pp. 868, 869, 873. There is a speech against Timocrates, probably the same, for proposing an illegal law, written, but not spoken by Demosthenes, the genuineness of which has, however, been questioned.

<sup>2</sup> *τῶν ἐγκεκλημένων.* *The words of the action; namely, the action which I brought against Aphobus.*

<sup>3</sup> *ἐγὼ γὰρ—ἐμαρτύρησεν.* And yet it would take some ingenuity to show that the evidence of Phanus had anything to do with making up the amount of the verdict which I claimed and obtained, for that was made up wholly by calculating the amount of each item. How will he make a hardship of having been ordered to refund a property which he has enjoyed ten years, and endeavour to raise a prejudice thereby against a witness who had nothing to do in procuring the verdict?

<sup>4</sup> *τάδ' ἐγκαλεῖ—τοῦ πατρός.* Here we have a specimen of an *ἐγκλημα*.

54 <sup>1</sup> *καὶ τί λέγων—δόξειεν.* *Pray what could he say? (in order to prove, from the fact of Aphobus having confessed Milyas to be free, that Aphobus had the portion,) "Aphobus confessed Milyas to be free?" How does this prove him any the more to have the portion? It is obvious that nothing would be proved by this.*

<sup>2</sup> κατεμαρτύρησε δοῦναι. *Bore witness against him that he (Therippides) had paid the money to him (Aphobus).*

<sup>3</sup> περὶ τοίνυν—ἢ εἰδῆτε. With respect to all the main parts of my action he might have examined, and still may, any of my slaves. If he says these slaves know nothing of the case, he ought the more to accept my offer, for their ignorance would clear him. But he knew well that their evidence would be conclusive against him, so he demanded Milyas, whom he knew that I could not give, in order to be able to complain of my refusal.

<sup>4</sup> τῆς ἐκδόσεως—ἐλέφαντος, see pp. 816, 817.

<sup>5</sup> καθυφείκεν, *has connived at*. καθυφιέναι δίκην, was said of a prosecutor who from collusion with the accused did not really try to obtain a verdict.

55 <sup>1</sup> τί τῷ νόμῳ καὶ τῇ βασάνῳ; *What has this law to do with torturing Milyas?* This construction is explained by Reiske, by understanding κοινόν.

<sup>2</sup> Δήμων, see p. 850.

<sup>3</sup> ἐπὶ τοῖς ἐμοῖς δανείζων, see p. 822.

<sup>4</sup> τί σοι ποιήσωσιν οἱ μάρτυρες; *What good can the witnesses do you?* For this use of ποιεῖν, Schaefar quotes p. 880, ἐθέλοντα ποιεῖν ὑμῖν, where he translates *morigerari*, to accommodate, also p. 1045, καὶ οὐδὲν πώποτε τουτοισὶ πεποιήκας. Reiske. Index, p. 409, understands κακόν, and translates *quid tibi officient?*

<sup>5</sup> πολὺ δὲ μάλλον—προσῆκον. *It will be much more clearly proved that he ought to have accepted my offer.*

56 <sup>1</sup> οὐ τοίνυν—συκοφαντεῖς. Why the most that Milyas could say for you would be that, as far as he knew, you had not embezzled my property, which would be worthless in the face of the direct evidence which I produced, the truth of which is sufficiently confirmed by your not suing any of the witnesses.

<sup>2</sup> καὶ δὲ λέγει. *Well, suppose that he does say so; a com-*

mon expression, but well worthy of attention, p. 996. καὶ δὴ καλεῖ. Medea, 217. καὶ δὴ τέθνασιν.

<sup>2</sup> ψευδομαρτυριῶν. This word commonly used in the plural, like παρανόμων, &c., always means, in Demosthenes, an action for false evidence, not the evidence itself. See p. 843, n. 2.

857 <sup>1</sup> πολλαχόθεν—εἶχε λέγειν. The one circumstance which at once proves the dishonesty of my guardians, is the disappearance of the will. The only parts of it which they remember are those which leaves property to them, the amount of which, itself, shows how great must have been the sum which was left for me.

<sup>2</sup> ταύτην μὲν οὐκ ἀπέδωκε. See p. 826.

<sup>3</sup> ἐξάρνη γενέσθαι. The dative here is attracted by the αὐτῷ understood, which is governed by the οἶόν τε.

τὸ μισθοῦν τὸν οἶκον. See p. 827, n. 3.

<sup>4</sup> ὅστις γὰρ—καρποῦσθαι δοῦναι. These words are taken, with a few alterations, from the first speech against Aphobus, p. 827.

358 <sup>5</sup> οὐδ' ἐλάττω μικροῖς. Nor (did he produce property) only a little short of this.

<sup>6</sup> τὰ δὲ τὸν δεῖν' εἶχειν. And that such a one had some part.

<sup>7</sup> τὰ δὲ—εἶχε λέγειν. And about the rest he had all sorts of things to say, rather than where he paid it to me.

<sup>8</sup> περὶ δὲ τοῦ μὴ—τοῖς λόγοις. Aphobus hinted that I had left me a large sum buried in the house. If so it must have been done from distrust of the guardians, and then my father would never have told them of it. Moreover, it was said to be in my mother's charge, whom he put into the power of Aphobus, by directing that he should marry her; which you may be sure Aphobus would have done had he known such a sum to be in her charge, instead of which he has now married another lady.

<sup>9</sup> καθεῖκεν. Insinuated.

<sup>10</sup> ἵνα ἐξ εἰκότος—ὄντα παρ' ἡμῖν. In order, that, by a

*specious argument, he might show that I had no right to get from him what I had at home.*

<sup>1</sup> εἰ μὲν τοῖνυν. From this to the end of the paragraph (χρηῖται τοῖς λόγοις) is repeated, with a few alterations, from pp. 830, 831.

59 <sup>1</sup> Πολλὰ μὲν οὖν—μάρτυρας. Aphobus first demanded Milyas, on account of thirty minas: he now says that he demanded him on account of the whole amount. I made this offer: to take the evidence of the slave who had the copy of his demand as to the amount for which he demanded him; and then, if Aphobus would swear that he had never admitted Milyas to be free, to remit the amount in respect of which it appeared that he had demanded him.

<sup>2</sup> τῷ μάρτυρι—ὄντος. *While the witness (Phanus) is in danger of losing his privileges.* A citizen who had had a verdict against him three times for false evidence, became, at once, ἄτιμος. The jury also had the power of inflicting this penalty the first time.

<sup>3</sup> τὰ ἀντίγραφα ὡς σύ με προυκαλέσω. *The copy of the terms of your challenge to me.* Seager.

60 <sup>1</sup> ἀν' ἀπομόσης τάναντία τούτων. This is a redundant expression, its full force being, *If you will deny this upon oath, swearing to the contrary.*

<sup>2</sup> κατὰ τῆς θυγατρὸς. For this sort of oath, see p. 852, note 2. Reiske justly concludes from this, that Aphobus had no son, therefore the Aphobus mentioned p. 845 could not have been his son.

<sup>3</sup> οὐ τοῖνυν—μαρτυρίαν. Phanus, and those who gave evidence to the same effect, also offered to swear solemnly to the truth of their depositions, all which Aphobus declined.

<sup>4</sup> Πῶς οὖν ἂν τις—ἐτίμησαν. Recapitulation. Every thing that has passed is a strong presumption of my having had justice on my side. At Aphobus's request, I agreed to refer the case to three friends. Aphobus, hearing that

they were likely to decide against him, revoked their power. Then the case went before the public arbitrator, who decided against him, which sentence was confirmed on his appealing to the court, and the court afterwards, on fixing the damages, gave the amount at which I laid them.

861 <sup>1</sup> Δημῶνος. Demon was the father of Demophon, but not actually a guardian himself.

<sup>2</sup> πίστιν ἐπιθεῖναι—οἰηθέντα δεῖν. *Not having thought fit to give the security of an oath, the witnesses and myself having previously sworn, when, by his so doing, that sum might have been remitted to him, in respect of which he demanded Milyas.*

<sup>3</sup> καὶ εἰ μὲν μὴ—λόγους. The μὴ here belongs to προεγνωσμένος, not ἐποιεῖτο.

<sup>4</sup> νῦν δ' ἐπιτρέψαι με πείσας. Demosthenes said before, (p. 813) that Aphobus refused τοῖς οἰκείοις ἐπιτρέπειν. Here it appears that there was a reference made, but that Aphobus revoked the powers of the arbitrators. This must have been owing to their having been improperly appointed, as arbitrators mutually agreed on could not be appealed from. See p. 828, note 3.

<sup>5</sup> ἀφῆκεν. *Rejected.*

862 <sup>1</sup> τὸν κληρωτὸν δαιτητήν. *The arbitrator appointed by lot out of the public δαιτηταί, opposed to αἰρετόν, or the private arbitrator chosen by consent.*

<sup>2</sup> ἐφῆκεν. The proper term for, *to appeal*. So an appeal is ἔφεσις.

<sup>3</sup> πρὸς μὲν τὴν συμμορίαν—εἰσφέρειν. See p. 815.

<sup>4</sup> τὸ καθ' αὐτόν. *For his share.*

<sup>5</sup> μισθοῦσι τοὺς οἴκους. *(People) commonly let property.*

## 13 FIRST SPEECH AGAINST ONETOR.

THE speeches against Onetor are given by Clinton in the same year with those against Aphobus, B. C. 364, but see p. 873, note 4.

<sup>1</sup> ἀπόλειψιν. The term for a divorce, when it originated with the wife. In the other case, the husband was said ἀποπέμπειν τὴν γυναῖκα.

<sup>2</sup> τὰ χωρία. *The farm.*

<sup>3</sup> ἐξούλης. *An action for expulsion.* This is a specimen of a δικὴ ἐξούλης, in its first sense. It is more commonly used for an action to enforce the giving up of any property, in pursuance of the decision of a jury. If the plaintiff obtained a verdict, the defendant incurred a fine, and thus, if he did not pay, became a state-debtor. Harpocration derives the word from ἐξείλλω, or ἐξέλλω; the author of this argument evidently from ἐξελαύνω, for the last sentence of the argument, τὸ δὲ τῆς—βίβης, must be, I think, by another hand.

64 <sup>1</sup> Περὶ πολλοῦ—διδάσκειν. Every attempt that I have made to obtain some composition for the amount of the verdict which I obtained against Aphobus, has been rejected, both by him and Onetor, his brother-in-law. I have the strongest proofs that the pretexts on which Onetor refuses me possession of the farm now in question, are without foundation.

<sup>2</sup> κηδεστὴν. *Brother-in-law.*

<sup>3</sup> τὸν μὲν. *Aphobus.* See the opening of the first speech against Aphobus.

<sup>4</sup> παρασκευαῖς. See p. 813, note 2.

<sup>5</sup> τοσοῦτον διόισειν. That I shall have such an advantage.

65 <sup>1</sup> ἀποτετιμῆσθαι. May be here taken either passive or middle. The husband was required to give some security

(ἐνέχυρόν τι) to his wife's relations, to the value of her portion, as a house or a farm. Then he who gave the security was said in the active ἀποτιμᾶν, and he who received it, ἀποτιμᾶσθαι.

<sup>2</sup> φεύγει. Must be rendered here and in the next page, not *defends*, but *is sued*: for the *justice* and *propriety* apply not to the defence, but to the bringing the action.

<sup>3</sup> ἐγὼ γὰρ—μαρτυρίας. Every one in Athens knew how shamefully my guardians treated me, and that I should sue them as soon as I came of age. Aphobus was become so rich with my spoil, that Onetor thought him a good match for his sister, but, at the same time, the risk of my getting a verdict against him was so great, that he would not trust his sister's portion in Aphobus's hands, but left it with Timocrates, her former husband, who paid interest for it to Aphobus. After I obtained the verdict, Onetor pretends that he holds this farm as security for his sister's portion, which had been afterwards paid to Aphobus, and which Aphobus, though divorced, had not repaid.

<sup>4</sup> τοσαῦται—τῶν ἐμῶν. "Any one might bring a public prosecution against guardians during their ward's minority, for misconduct, an effect of which, if successful, would be to remove the guardians." Kennedy. This must have been meditated in the present case.

<sup>5</sup> Τιμοκράτης. See p. 853, note 1.

6 <sup>1</sup> ὥσπερ ἀποτίμημα. That is to say, that a verdict in an action of a ward against a guardian, might enable the former to come upon the property of the latter; so that such property was, virtually, *security* for the faithful discharge of his duty.

<sup>2</sup> διαλύειν μὲν—ἐτόλμησεν. Onetor made no attempt to reconcile Aphobus and me; but though he never gave up the portion to Aphobus, but has it at his own disposal, yet as if his sister had separated from Aphobus, and he had parted

*with her portion, but could not get it back, pretending that he had taken the land as security for it, he dared to eject me from it.* The expression, διαλύειν αὐτὸν πρὸς ἐμέ, occurs in the Meidias, p. 554.

\* ἐξ ἀρχῆς—ἐπίστευσαν. It is certain that the portion was not paid to Aphobus at first, for which no reason can be given, except their not thinking that it would be safe in his hands, for both Timocrates and Onetor are rich, and in command of ready money; and, in common cases, such a debt as this would be the last to be left unpaid.

867 <sup>1</sup> ταύτην τὴν αἰτίαν. Namely, that Aphobus's property was considered precarious because of my action impending.

\* ἐγὼ τοίνυν—μαρτυρίαν. Immediately after the marriage I commenced proceedings against Aphobus. How unlikely it is, that the portion not having been paid at first, it should have been paid while such an action was pending, even if it had been originally kept back with any other view.

\* εἰ μὴ—εἴχον. *Even if they* (Timocrates and Onetor) *did not keep back the money from this motive* (namely to prevent it being endangered together with the other property of Aphobus), *but with the intention of paying it soon.*

868 <sup>1</sup> ἐγήμετο μὲν γὰρ—μηνός. Demosthenes was born in the first month, Hecatombæon, of the archon Evander, about July B. C. 382. Olymp. xcix. 3. Polyzelus entered on his office at Midsummer B. C. 367, so that the marriage of Aphobus took place about June 366. The action against Aphobus was brought in the first part of the archonship of Timocrates, (who entered office at Midsummer 364) in August or September, Demosthenes being just turned eighteen. The divorce was alleged to have taken place in December of the same year. This is the account of Clinton, who proves, I think unanswerably, that, at the time of his δοκιμασία, Demosthenes could not have been seventeen. The authorities whom he follows are, Gellius,

Libanius, Plutarch, and Dionysius of Halicarnassus. The "Lives of the Orators" (an imitation of Plutarch sometimes attributed to him) makes him born three years earlier. (ἐπὶ Δεξιθέου.) Now Polyzelus is the eighteenth after Dexitheus, and as Scirophorion is the last month of the archonship, and as Demosthenes's δοκιμασία was not till after the marriage which took place in that month, however late in the archonship of Dexitheus he had been born, we may conclude that he would have been full eighteen at the time. This calculation, it is true, would agree with the age commonly given for the δοκιμασία, but this was doubtful even in the time of Harpocration, who quotes Didymus, to the effect that it might be at sixteen. Kennedy takes a middle calculation, that the δοκιμασία was at seventeen, and that the suit against Aphobus was begun at nineteen. See p. 832, note 1.

<sup>2</sup> ἐνεκάλουν. *Complained privately.*

<sup>3</sup> ὁ δὲ χρόνος—πίστιν. *The circumstances of this period make it likely that they owed the portion according to agreement, but altogether incredible that they paid it.*

<sup>4</sup> δῆλον μὲν τοίνυν—ἀνάγνωθι. The story told by Onetor and Timocrates is incredible. They say that they paid over the portion, a talent, to Aphobus in small sums as he wanted it, without witnesses, which in truth, having of course no proof of the payment which was never made, is the only story they could tell. And yet neither Onetor nor Timocrates is at all the sort of person to pay a large sum of money in such a way as actually to leave Aphobus a claim upon them, if he chooses to deny the payment.

69 <sup>1</sup> κομιζοίτο—παρ' αὐτῶν. *But that Aphobus had received it, taking from them as much as he wanted at a time.*

<sup>2</sup> γάμους. *Marriage feasts.*

<sup>3</sup> ἀδελφῶν—ἐγχειρίζομεν. *We are delivering into the hands of others the fortune of our sisters and daughters.*

<sup>4</sup> διαλύσασθαι πρὸς Ἀφοβόν. *That he settled his account with*

*Aphobus*, a slightly different meaning from that noticed above, p. 866, note 2.

170 <sup>1</sup> ἀπηλλάττετο. You would expect *ἄν* here, but the imperfect is often so used in the apodosis. Matthiæ considers it to suppose the thing to have actually happened, and to be a more forcible expression than the hypothesis followed by the imperfect with *ἄν*, § 508. obs. 2. To give then the full force of this, we ought to translate, *Suppose him to have acted in this way—He at once gets clear of the whole affair.*

<sup>2</sup> μόνος μόνῳ—ὑπελείπετο. According to Onetor, though he had confessed to owing the portion to Aphobus before witnesses, yet he repaid it with none. By this course, as Demosthenes observes, he left evidence against himself as a debtor, with nothing to answer it.

<sup>3</sup> ἔτι δ' ἀθρόαν—ἐξαιτήσομεν. All payments were made in silver, so the bulk of this sum would make it necessary to employ a slave to carry it. The sum in question (a talent, see p. 876) would weigh just fifty-seven pounds avoirdupois. *Dict. of Greek and Roman Antiq.* talentum.

<sup>4</sup> ἀπλοῖ τινές. Simple sort of people.

<sup>5</sup> ἀπλῶς—πράξαντες. Though they would not transact even a small matter concerning their own interests in a simple manner, but as carefully as possible.

<sup>6</sup> αὐτοῖς. To the jury.

<sup>7</sup> φέρε δὴ—ἀνάγνωθι. I offered a slave of mine who had been Aphobus's to Onetor, to prove that Aphobus lived with his wife after the pretended divorce, which was declined. Besides, Aphobus stripped the farm in question of every moveable, which you may be sure Onetor would not bear so quietly, if it had really devolved to him as security for his sister's portion.

<sup>8</sup> διαπιστήσιν. Will entirely disbelieve. Passow.

71 <sup>1</sup> σαφῶς ᾗδειν—πράγματος. I well knew that this was all talk and trickery. This use of λόγος is similar to the Latin *verba dare*.

<sup>2</sup> κατὰ τὴν ὑπερημερίαν. *In consequence of his not paying the amount of the verdict by the appointed day.* Reiske derives the word from there being a day of grace allowed, but it is better to understand it simply as those who were *beyond the day*.

372 <sup>1</sup> ἐγγείων. The things which could not be moved, as trees, &c.—here also including the casks, *πιθάκναι*. The latter word is considered by Schaefer and Passow as a diminutive of *πίθος*, a sense very inappropriate here.

<sup>2</sup> ἐμοὶ τοίνυν—*μαρτυρίαν*. If the divorce were genuine, Onetor never could have remained on good terms with Aphobus, much less would he have pleaded for him against me, and even after the verdict entreated the jury to assess the damages at a talent, for which he offered to be security.

<sup>3</sup> ἐποίησατο. *Procured to be made.*

373 <sup>1</sup> τάλαντου τιμῆσαι. See p. 844, note 7.

<sup>2</sup> ἐρίγενετο. *Offered to be.*

<sup>3</sup> ἔτι τοίνυν—*μαρτυρίαν*. Neither is it probable that Aphobus's wife, who after her divorce from Timocrates could not bear one day's widowhood, but came straight from one husband's house to the other's, should have now been three years unmarried. Listen to the evidence of a physician who, being called to attend her in illness, found Aphobus with her.

<sup>4</sup> ἐν τρισὶν ἔτεσιν. This surely fixes the date of this speech to two or three years later than the date given by Clinton (see p. 863, note), that is, to B.C. 362, or 361.

<sup>5</sup> ταύτην ἔχουσα τὴν ἡλικίαν. *Being so young.*

<sup>6</sup> ἐπὶ τούτου τοῦ ἄρχοντος. *In this very year.*

<sup>7</sup> ἐγὼ τοίνυν εἰδώς—*ἀνάγνωθι*. I thought fit to demand the examination of some slaves of Onetor's, who could have proved all these facts, which he refused with contempt.

374 <sup>1</sup> ὑμεῖς τοίνυν—*νομίζω*. Onetor must think you very simple if he expects you to believe on the evidence of Timocra-

tes and Aphobus such an improbable story as his, while he refuses to have recourse to the infallible test of torture.

<sup>1</sup> βάσανον. The whole of this passage is curious, as showing the idea of evidence held by the Athenians. See p. 846, note 1.

375 <sup>1</sup> καὶ ἐκ τοῦ τὸν—τάργυριον. The words ἀμφισβητουμένης ἤδη τῆς οὐσίας give the reason for the χρόνον μὴ ἐγγχωρεῖν ἀποδοῦναι τάργυριον. Translate, *and because the date of the confession makes it impossible that they have paid the money, AS the property of Aphobus was at that time already in dispute.* Kennedy translates, "*from the dates, which make it impossible for them to have paid after the title to the property was in dispute,*" which does not seem to me so simple.

## SECOND SPEECH AGAINST ONETOR.

376 <sup>1</sup> Ὁ παρέλιπον—εὐρεθῆναι. I forgot to mention before one circumstance which seems to me a very strong proof of the dishonesty of this transaction. Onetor first put up notices on both the house and the land, pretending that the whole of his sister's portion was eighty minas, for twenty of which the house was security, and the land for a talent. Afterwards, after my action with Aphobus, thinking he had gone too far, he took down the notices from the house, saying that the portion was a talent only.

<sup>2</sup> ὄρους. Notices. This was meant for a caution to others against lending money on the security of the property so marked, supposing it unencumbered.

<sup>3</sup> ἔνους γίγνεται. He takes to reflection.

<sup>4</sup> εἰ μὴδ' ὀτιοῦν—γενήσομαι. You would expect γενησοίμην. For a similar alteration of the mood Schaefer quotes below, p. 884, λέγων ὡς—Μασσαλιῶται.

<sup>5</sup> ἐν ᾧ. For which. This is suspected, not without reason. Schaefer proposes οὗ (which is the right construction see

below, 877. τὸ χωρίον ἀποτετιμῆσθαι ταλάντου) thinking that the ἐν is a repetition of the last letters of φησίν.

877 <sup>1</sup> σκέψασθε—ὑπηρεσίαν. You now say that the land is worth two talents over and above the encumbrance, and the house one. Why then did you not make the land security for the whole eighty minas if it was worth so much more? All this prevarication is sure proof of your dishonesty.

<sup>2</sup> ὥς οὐκ ἀποστερεῖ με—ταλάντου. *That he leaves me all that the property is worth over and above a talent.*

<sup>3</sup> τοῦ χωρίου τὸ περίον. *The remainder of the farm; scilicet post direptionem, de qua p. 871, Schaefer. I understand rather, over and above the talent.*

378 <sup>1</sup> τὰ γὰρ ἀληθῆ—τοιαῦτ' ἐστίν. *For those matters which are done faithfully and not dishonestly, remain simply in the same state in which they are first transacted.*

<sup>2</sup> ἄξιον τοίνον—ἐπίορκον. You may be sure that he would not have hesitated to swear to the portion having been eighty minas if required, which he now shows not to have been the case. What then is the value of his oath?

<sup>3</sup> ὅς γὰρ ὀγδοήκοντα—τοιαῦτ' ἄξιόν. *For when he said that the portion was eighty minas, if any one had offered that he should get the amount on swearing that he spoke truth in this, what would he have done? It is plain that he would have sworn. For what can he say to deny that he would have sworn then, who now makes such a claim as this? The word ἡ in this sentence cannot be rendered without altering the construction. Would he have done anything else? or is it not manifest that he would have sworn? Kennedy remarks on this argument; "Every liar may thus be proved to be perjured; a strange argument!"*

<sup>4</sup> ἀλλὰ νῆ Δία—πράττειν. Recapitulation of the arguments in both speeches. The whole truth of the matter is, that you were associated with Aphobus in all his frauds

upon me, and now wished to save for him what you could, and to defeat my legal claim.

<sup>b</sup> τιμώμενος. *Valuing the damages at; namely, after Demosthenes had obtained his general verdict against Aphobus. See p. 844, n. 7.*

179 <sup>1</sup> καὶ τοῦ τῆς δίκης ὀφλήματος προσεγγυήσασθαι. *To offer himself as surety for the amount of the damages besides.*

<sup>2</sup> ἀντὶ δὲ πολλῶν—ἀπετιμᾶτο. *But he accepted this from friendship to Aphobus, as security, for the sake of getting much property of mine.*

<sup>3</sup> οὐ πρότερόν γε ἢ παρὰ σοί. *At any rate not before a verdict had been given against him by you; not before you had shown yourself convinced of his dishonesty.*

180 <sup>1</sup> οὐχ ὑμεῖς ἐπεὶ τὰμὰ ἔδοτε; *this is unintelligible. Reiske conjectures ἐπεὶ εἰς τὰμὰ. Were you not yourselves to blame, as you gave it on the security of what was mine? Schaefer, ἐπεὶ ἐπὶ τὰμὰ. To get what was mine.*

## SPEECH AGAINST ZENOTHEMIS.

THIS speech was written after Demosthenes took part in public affairs; the proof of which will be found in the conclusion of the speech, p. 890; therefore after the speeches against Androtion and Leptines in 355, and therefore at least six years after the last speech.

80 <sup>2</sup> Παραγραφή. There is no English word exactly corresponding to this. The Dictionary of Greek and Roman Antiquities defines it as an objection raised by the defendant to the admissibility of the plaintiff's action. If it succeeded, the action was at an end; if not, it went on.

81 <sup>1</sup> ἐδανείσατο χρήματα—βεβουλευμένοι. The fraud here described is analogous to one not unknown now. A ship is insured to a large amount, the valuable cargo being ficti-

tious. It is then purposely wrecked, and the amount of insurance claimed from the underwriters.

<sup>2</sup> τὸ ἔδαφος. *The bottom.*

<sup>3</sup> τοὺς ἐπιβάτας. *The passengers.*

<sup>4</sup> εὐθυδικίας. *The main question; opposed to παραγραφή.*

882 <sup>1</sup> ἐκ περιουσίας. *Over and above.*

<sup>2</sup> ἄνδρες δικασταὶ—οἶομαι δέ. My plain objection to the action of Zenothemis is, that he has sued me in a court appropriated to trials on shipping contracts, whereas no contract ever existed between us. However, I will not lose the opportunity of pointing out the rascality of his whole proceedings.

883 <sup>1</sup> ἄνπερ ἐγὼ—πολλάκις εἰπεῖν δυνήθω. *If by chance I can tell you.* This is the only instance I am aware of of this use of πολλάκις in Demosthenes, but it is often found in Plato. *Republic*, IV. 424, C. IX, 584, B. *Critias*, 113, A. *Phædo*, 60, E.

<sup>2</sup> Ζηνόθεμις—πρὸς εἴληχεν. Hegestratus and Zenothemis borrowed money at Syracuse on the security of the ship and cargo commanded by Hegestratus, each telling the other's creditors that the cargo belonged to the other. The money was never put on board the ship, but they determined to sink the ship, in which case the contracts would not have obliged them to refund. When they were at sea, Hegestratus cut a hole in the ship's bottom, but being detected in the act, was drowned in attempting to escape by the boat. The ship was by great exertions got safe to Cefalonia, and from thence to Athens, Zenothemis failing in two attempts, one to persuade the crew to desert the ship, the other to get a decision from the magistrates at Cefalonia for the ship to sail to Marseilles instead of Athens.

<sup>3</sup> οὗτος κάκεινος. Zenothemis and Hegestratus, who are respectively called by these pronouns throughout this passage.

<sup>4</sup> αὐτόν. Hegestratus. Thus each represented to the other's creditors that the cargo belonged to the other.

<sup>1</sup> ὧν δὲ ὁ μὲν—ἔλεγον. As there was no reason to suspect any collusion between a master and a passenger.

384 <sup>1</sup> Παρὰ τὰδικήματα. *In pursuance of their fraud.*

<sup>2</sup> τοῦ παρ' ἡμῶν; *nostrate quodam.* An Athenian. H. Wolf, who would prefer to read *τον*, enclitic. I rather understand an agent of Demon and Protus. The safety of Demon's loan to Protus depended on the cargo coming safe. so he sent a man to watch his interests. The article would imply that this was a common practice.

<sup>3</sup> ἐσκευωρημένον. *Having cheated.*

<sup>4</sup> πρὸς. *Besides.*

<sup>5</sup> τί οὖν—ἐαυτῶν. Thus Zenothemis, disappointed of his design of cheating his Syracusan creditors, makes a plot to claim the cargo of the ship, in which they join him in hopes to get something out of us, and in which he is aided by Aristophon, whom we sent to Cefalonia as our agent, but who has betrayed our interests. So then Zenothemis alleged that he had lent money to Hegestratus on the security of the corn, of which the cargo consisted, which he laid claim to accordingly.

<sup>6</sup> ἀχθόμενος μὲν. *Unwillingly indeed.*

385 <sup>1</sup> ἐκ τούτων ἓνα—συμμίξαι. *One of these men, when Zenothemis was trying to prevent the ship from completing her voyage hither, we chose, after a consultation, as our representative, a man known to us in some degree, but we did not know what he really was; whereby we suffered, so to say, no less a misfortune than we suffered in having anything to do with dishonest persons at the beginning.*

<sup>2</sup> ἡργολάβηκεν αὐτὸς καὶ κατεπήγγελται τούτῳ. *He came forward and sold himself to Zenothemis, and offered him his service.* ἡργολάβηκεν means, he undertook the work (of betraying us) for hire. αὐτὸς has nearly the sense of αὐτεπάγγελτος.

<sup>3</sup> οὗτος here, contrary to the usual practice, means Aristophon, not Zenothemis.

<sup>4</sup> ὃν ὁ παρ' ἡμῶν ἐπιπλέων ἐπρίατο. See p. 854, n. 2. This would make it seem that Protus himself is meant, or some one acting for him.

<sup>5</sup> οἱ δανεισταί. The Syracusan creditors mentioned in the argument, also in the first part of p. 883.

186 <sup>1</sup> ἐπειδὴ τοίνυν—τὰς μαρτυρίας. Just before the attempt to sink the ship, Hegestratus and Zenothemis put into the hands of one of the passengers the contract on which now Zenothemis founds his claim. The time at which this was done is at least very suspicious. Protus, the owner of the cargo, and I, offered to him to go and try the cause at Syracuse, where the custom-house entries would at once decide the question. This, however, he would not do, and refused to give up the cargo unless I would join Protus in ejecting him.

<sup>2</sup> ἐπειδὴ τοίνυν—αὐτὸ. *So when the vessel arrived at Athens, the Cefalonians having decided, notwithstanding the opposition of Zenothemis, that the vessel should return to the port whence it had sailed.*

<sup>3</sup> οἱ ἐπὶ τῇ νηὶ δεδανεικότες ἐνθὲνδε. These creditors are only mentioned in this place. They are totally distinct from the Syracusan creditors, from Protus, the buyer of the corn, and from Demon, the plaintiff, the creditor of Protus.

<sup>4</sup> ὁ Πρωτος. Protus was now in league with Zenothemis, so that it is exceedingly artful in Demosthenes to repeat this conversation in which he took part, being then of a different way of thinking. The admission which Protus now made of the justice of the claim of Zenothemis was calculated to raise a strong prejudice against Demon.

<sup>5</sup> δανείσσηται. The second plural, δανείσσηθε, which is the reading of one MS. and adopted by Wolf and Reiske, is undoubtedly better sense, as the object of the fraud here spoken of, was to enable *both* Hegestratus and Zenothemis to borrow.

<sup>6</sup> καὶ σοὶ πολλάκις λέγοντα. The construction here is im-

perfect, as λέγοντα has nothing to agree with. One MS. reads λέγοντος, which Schaefer wishes to adopt. The general sense is clear; Reiske's reading is a conjecture of his own, and rightly rejected by Schaefer.

<sup>7</sup> προήκω. Second pers. sing. first aor. mid. from προήμι.

<sup>8</sup> ἔφη. *He said yes.*

<sup>9</sup> βιβλίον συγγράφην. The two substantives put in this way are rather odd. One MS. omits the βιβλίον, which Schaefer approves.

<sup>10</sup> εἰ μὲν εἰς πίστιν ἔδωκας—ἐν τῇ γῇ. *If you had lent Hegestratus the money, placing confidence in him, why should you have taken measures to make yourself safe just before his rascally attempt? if you distrusted him, why did you not do like other people, get a legal acknowledgment before sailing?*

87 <sup>1</sup> ἐξῆγεν. *Tried to turn him out of possession of the corn.* The same word was used for Onetor turning Demosthenes off the farm, p. 865.

<sup>2</sup> ἐκείνος. Protus.

<sup>3</sup> τὰ τέλη κείμενα ἐκείνου. *The entries of the export duties standing in the name of Protus.*

<sup>4</sup> τὰς τιμὰς. The price of the corn.

<sup>5</sup> τὰ διάφορα απολαβεῖν. *That he should receive compensation for the loss that he would suffer in point of time and expense.* Reiske. Wolf takes it *the corn in dispute*, which is simpler, but then these words would be synonymous with καὶ τοῦ σίτου ἀφιστάμεθα.

<sup>6</sup> ἢ ἀπολωλέναι—αὐτῶν. *Or to lose our own property, after it had come safe and was then present.*

<sup>7</sup> διεμαρτύρετο—Σικελίαν. All these infinitives are very confused. *He declared that he would eject Zenothemis—that he would give security that he was willing to sail back to Sicily.* H. Wolf. *He declared that he was willing to sail back to Sicily, in order to carry through the ejecting Zenothemis.* Hermann. *He protested that he would carry through the ejecting the man from the ship—that he would make the*

*voyage to Sicily.* Funkhaenel. Schaefer's conjecture makes matters much easier, βεβαιῶν. *He entreated me to eject Zenothemis,* (see at the beginning of this page οὐδ' ἂν ἔφη—ἐξέξω) *declaring that he was willing to sail back to Sicily.* For this sense of διαμαρτύρομαι see Passow, also the speech De Corona, pp. 232, 240. For the sense here given to βεβαιῶν Schaefer quotes the speech Περὶ Ἀλοννήσου, p. 79.

<sup>8</sup> εἰ δὲ ταῦτ' ἐθέλοντος—μέλειν. *But if after his (Protus's) making this offer (to go to Sicily) we (Demon and his friends) let Zenothemis have the corn (by not joining in ejecting him) he did not care.*

<sup>9</sup> ἐπειδὴ—παραγέγραμμαι. Accordingly I joined in the ejectment, never dreaming that you would give up this property to one who had done all in his power, firstly to destroy it, secondly to prevent its coming here, especially after his refusing to adopt the most certain way of ascertaining who was its real owner, by going to Syracuse.

<sup>10</sup> ἡμῶν τῶν κοινωνῶν. *Of our firm, of my partners or myself.*  
 88 <sup>1</sup> οὐδὲ τοῦτ' ἤμελλον ὑμῶν καταγνώσσεσθαι. *Neither were they likely to impute this to you, that is, to expect this from you.*

<sup>2</sup> ὅτι μὲν τοίνυν—κλητεύεις. Unluckily however the price of corn fell, so that Protus's speculation was a bad one, so that he was inclined to let Zenothemis have the corn if he could avoid paying back the money which he had borrowed from me, so, the conspiracy being all arranged by Aristophon, he suffers judgment to go by default against himself, and puts himself out of the way to avoid giving evidence in my favour in this action which Zenothemis brings against me, not being able to take possession of the corn till he has disposed of my claim.

<sup>3</sup> ἐπικηρυκεύονται. *They negotiate.* Elegans phrasis ducta a re bellicâ. Schaefer.

89 <sup>1</sup> ἐπανήκεν ὁ σίτος. *The price of corn fell.* Laxata anona est.—Wolf. Compare Thucyd. III. 89, where ἐπα-

κελθοῦσα (the probable reading for the common ἐπελθοῦσα) applied to the sea, means *having retreated*.

<sup>2</sup> προσεκρούομεν αὐτῷ. *We quarrelled with him.*

<sup>3</sup> καὶ συκοφάντην—κεκομικέναι. *And complaining that he had handed over to us, instead of our money, this fraudulent plaintiff, Zenothemis.*

<sup>4</sup> ἵν' εἰ μὲν—ἀντιλαχῇ. After ὁμολογήκασι, Demosthenes omits the apodosis, which is evident from the sense, namely, that he would leave the decision unquestioned. It appears, that in the event of a judgment going by default, the defendant could obtain a fresh trial. (ἀντιλαχεῖν.) He was, however, probably, forced to allege some excuse for not having appeared before, but this excuse would be accepted as a matter of course.

890 <sup>1</sup> ἔχεις δίκην. *You have already got satisfaction.* Meaning the verdict which Protus had suffered Zenothemis to obtain by default.

<sup>2</sup> οὐ περιεργαζόμεθα. A man is said περιεργάζεσθαι who takes upon him what is no business of his. *We do not put ourselves out of our way, or We do not care.*

<sup>3</sup> ἀλλ' ἐκποδῶν ἐστὶν ἄνθρωπος. "But" (you will say,—at enim) "*the man, Protus, is not forthcoming.*" "No, and it is your doing, to prevent him appearing to confirm his evidence in my favour, and to enable you to say what you please about him."

<sup>4</sup> ἅμα ἂν αὐτὸν—πολέμαρχον. You should at once have summoned him before the polemarch, and required bail for his not absenting himself. See *Dict. of Greek and Roman Antiquities*, under ἐγγύη.

<sup>5</sup> καὶ εἰ μὲν—ἤει. *And if he had found bail, you would have forced him to stay, or else you would have had persons at hand from whom you could get satisfaction: if he had not found bail, he must have gone to prison.*

<sup>6</sup> τὴν γεγωνίαν ἔκδειαν. *The loss which he had suffered.* Namely, by the fall in the price of corn at Athens.

<sup>7</sup> κλητεύσω. *To summon.* The first step in an action. It required witnesses κλητῆρες, whether one or more is uncertain, to prove the serving of the πρόσκλησις, or summons.

<sup>8</sup> ἔτι τοίνυν—ἐξέστηκα. Perhaps he will try to raise a prejudice against me, by insinuating that I have been helped by Demosthenes, the orator, my kinsman. I assure you that he positively declined taking any part in the case, having entirely given up the conduct of private suits.

<sup>9</sup> πιθανὴν ἔχειν τὴν αἰτίαν. *That my imputations against Zenothemis are put in a persuasive form.*

<sup>10</sup> καὶ γὰρ αὖ δεινὸν εἶη. *Else it were unbecoming.*

- 91 <sup>1</sup> ἀλλὰ καὶ—ἐξέστηκα. This sentence is not complete, and therefore we can only guess at its tenour. *But even in my public conduct I have left off conducting such matters.* What the τὰ τοιαῦτα is, is far from clear. Perhaps he had given up for a time judicial speeches, even in public trials, and confined himself to speaking in the assembly. There is, according to Clinton, an interval of nine years between the speeches against Aristocrates in 352, and De Falsa Legatione in 343, during which are several δημηγορίαι, but no δημόσιος λόγος, except the Mēdias, which was never spoken. Doubtless, if we had the rest of this speech, (not much more I think) we should see that Demosthenes is about to put into Demon's mouth a most solemn denial of his having had anything to do with this speech, though its genuineness is unquestioned. This shows how strictly secret the authorship of these private orations was kept.
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## SPEECH AGAINST APATURIUS.

THIS is rather a complicated case, so the utmost attention must be paid to the argument, and to the names. The general statement is this. Parmenon and Apaturius, both Byzantians, and formerly friends, go to law, each bringing an action against the other. Apaturius says that the whole case was referred to an arbitrator, Aristocles, who decided in his favour: accordingly, he comes upon the present defendant, who, he says, was bail for Parmenon standing to the decision of the arbitrator. The defence is, that Aristocles was but one of three, that the defendant was not bail, that the contract on which the arbitration had rested had been destroyed by Apaturius, so that the whole thing was revoked. The date of the speech is unknown.

The name of the person for whom it was written does not appear. I shall call him, throughout, the defendant, as being the defendant in the main action (εὐθνδικία) to the admissibility of which he now demurs. παραγράφεται).

891 <sup>2</sup> προσκρούσας. *Having quarrelled.* See p. 889, note 2.

<sup>3</sup> βλάβης. See p. 849, note 6.

892 <sup>1</sup> οὐκεν ὄντα διαιτητήν. Because he had ceased to be arbitrator, in consequence of the destruction of the contract.

<sup>2</sup> τοῖς μὲν ἐμπόροις—τουτουσί. The legal ground on which I object to Apaturius's action, is, that it is brought before the thesmothetæ, whose business is to try causes arising from contracts made on voyages to and from Athens. The only contract that ever existed between Apaturius and me has been cancelled.

893 <sup>1</sup> αὐτοῖς. *Alone.* Reiske.

<sup>2</sup> ὁ μὲν οὖν—ἐπιβεβουλευκώς. *He who has plotted against me (Aristocles) together with Apaturius.*

<sup>2</sup> ὡς τοίνυν—μαρτυρῶν. The business which I had with Apaturius, was, that he being on the point of having a ship seized for a debt, and Parmenon having undertaken to lend him ten minas, I obtained for him thirty more, for which I became surety, and afterwards took Parmenon's debt off his hands, on a quarrel arising between him and Apaturius. For these two sums I took as security the ship and the crew.

<sup>4</sup> ἐπὶ τῆς ἐργασίας—ἐκινδύνευον. *Being engaged in that business which is carried on by sea, (or foreign trade) for some time I used to undergo the dangers of navigation myself.*

<sup>6</sup> τοῦτοis—ἐργάζεσθαι. *This I endeavour to employ lending it in bottomry. Literally: With this I endeavour to trade, lent in bottomry.*

<sup>8</sup> διὰ τὸ εἶναι—ἐμπόριον. *Because I frequent the market for foreign trade.*

<sup>7</sup> τοῦτοis τοῖς ἐκ Βυζαντίου. Reiske conjectures τούτοις, totum genus Byzantiorum intelligitur. Schaefer. I would rather render, *with these Byzantian merchants.* The pronoun is used, because the persons of whom he was speaking, Parmenon and Apaturius, were of that class.

94 <sup>1</sup> τρίτον ἔτος. *Three years ago.* Wolf. See the beginning of p. 900.

<sup>2</sup> ἐνεβάτευον—ὑπερῆμερίᾳ. *Were on the point of taking possession of the ship, taking it in default of payment, the stipulated time having elapsed.*

<sup>3</sup> συνενπορῆσαι. *To join in accommodating him with.*

<sup>4</sup> χρώμενος—τραπεζίτη. *Being intimate with Heracleides the banker.* See p. 849, n. 2.

<sup>5</sup> ἠναγκάζετο. *He was afraid that he must.*

<sup>6</sup> καὶ τὰς τρεῖς—τριάκοντα. *And having received an acknowledgement from Apaturius of the three minas which he had already received from Parmenon, I buy the ship and the slaves till he should repay the ten minas which he had received*

*through my hands, and the thirty, &c.* The case was this: Parmenon had lent three minas out of ten when his quarrel with Apaturius began. He did not wish to have anything to do with Apaturius, but if he broke off, the three would be lost; so he got the defendant to let the loan pass through his hands; he paid the other seven minas to him, (receiving no doubt security for ten,) the defendant then took a receipt for the three minas from Apaturius, and afterwards paid over to him the other seven.

895 <sup>1</sup> τὸν μὲν τρόπον—τῶν μαρτυριῶν. Afterwards Apaturius tries to get the ship away secretly, but is prevented by Parmenon; on which I hand over to the creditors for the thirty minas the ship, desiring them to reserve ten minas for Parmenon's debt; and I also detain the crew, in case the ship should not be enough. The ship was sold, and exactly satisfied the two debts; so my business with Apaturius was at an end, leaving us however on no good terms with each other.

<sup>2</sup> ἀνασκευασθείσης—κεκρυμμένου. *When the bank broke, and Heraclides at first disappeared;* ἀνασκευάζομαι is the proper word for this, see pp. 1204. 1205.

<sup>3</sup> ὁ ξένος. Parmenon.

<sup>4</sup> τοῖς ἐγγυηταῖς τῆς τραπεζῆς. *Those who had given their bond for the bank.* They were liable for the amount of Heraclides's failure, and therefore interested in letting none of his debtors evade payment.

<sup>5</sup> τὸ ἐνέχυρον; namely, the ship.

<sup>6</sup> ὅτι δέκα μναῖ—νῆι. *That Parmenon had a claim of ten minas on the ship.*

<sup>7</sup> κατηγγύησα. *I took possession of for the debt.*

<sup>8</sup> αὐτῷ ἀπολυθῆναι τῆς ἐγγύης. *To be myself relieved from my bond.*

896 <sup>1</sup> ἡ θέσις. *The sum lent on it.*

<sup>2</sup> μετὰ ταῦτα—μαρτυρίαν. After this Parmenon went to law with Apaturius about different things, and Apaturius

entered into a bond to take an oath on some point demanded by Parmenon.

<sup>2</sup> δίδωσιν—τούτῳ. *Parmenon offers to Apaturius that he (Apaturius) shall make oath.*

<sup>4</sup> ἐπιδιαθέμενος. *Having undertaken to pay.* Harpocration says that in an ἐπιδιαθήκη, the money was deposited in the hands of some third person.

<sup>5</sup> δεξάμενος τοίνυν—μαρτυριῶν. However he durst not swear the oath, so he brought a cross action against Parmenon, the whole of which matters they agree to refer to three arbitrators, and they chose Phocritus, a Byzantian, Aristocles above-mentioned, and me; Aristocles being also surety for Apaturius, and one Archippus for Parmenon.

97 <sup>1</sup> ὅτι μὲν ἐτέθησαν—μαρτυριῶν. Aristocles, with whom the agreement was deposited, destroyed it, pretending that it had been lost, on which Apaturius pretended that Aristocles had been the sole arbitrator.

<sup>2</sup> καὶ ἦλθεν—Αριστοκλῆς. *And he began to contend that the arbitrator, so far as he was concerned, was Aristocles.*

<sup>3</sup> συνδιαλῦσαι. *To help to reconcile them.*

98 <sup>1</sup> οὐ πόρρω—γράμματα. *Saying that he had not far to go for proof, if any tricks had been played with the papers.*

<sup>2</sup> ἐσκήψατο ἀπολωλέκναι. *Asserted that he had lost them.*

<sup>3</sup> ἐντεῦθεν—μαρτυρίας. On this of course the arbitration was at an end, and they could not agree in renewing it. Aristocles, however, proceeded to make his decision under protest from Parmenon.

<sup>4</sup> ἀντιλεγομένων. *Being disputed.*

<sup>5</sup> ἀποφανεῖσθαι. *That he would decide.*

<sup>6</sup> Μετὰ ταῦτα—οὐδεὶς. At this time Parmenon was called away from Athens by the loss of his wife and children, who were killed by an earthquake near the Hellespont, and Aristocles decided against him in his absence.

99 <sup>1</sup> Ὀφρυνίᾳ. A town on the Asiatic shore of the Hellespont, according to Harpocration and Strabo.

<sup>2</sup> ὁ σεισμός. I am not aware of any other mention of this earthquake. The way in which it is spoken of shows that it was well known at the time.

<sup>3</sup> μὴ εἶναι—αὐτῷ. See p. 897, at the end.

<sup>4</sup> ἀπόφασιν. Reiske's reading ἀπόφανσις is only confirmed in this place by one MS., but he quotes p. 903, where all read ἀπόφανσιν, which is there also adopted by Bekker. Schaefer would read ἀπόφασιν both here and there, saying that ἀπόφανσις can only be used with some word like οὐσία—an inventory (pp. 1039. 1043), but that in the sense of sentence or declaration, it should be written ἀπόφασις. Passow gives the sense of inventory to ἀπόφασις, but not to ἀπόφανσις. In other respects he makes the words synonymous.

<sup>5</sup> Ἄ μὲν οὖν—μαρτυρίαν. On the strength of this decision Apaturius, alleging that I was surety for Parmenon, sues me, not however till two years after, during which time he never even applied to me for payment.

<sup>6</sup> ὥσπερ προσήκει. In the way in which it is fitting.

100 <sup>1</sup> αἱ δὲ λήξεις—μουνυχίῳ. These suits were carried on during the six winter months, and could not last more than a month; both these circumstances being for the convenience of merchants. Boeckh.

<sup>2</sup> ἐπράττετο πῆν ἐγγύην. Sued me for my bond.

<sup>3</sup> αὐτὸς γὰρ—Παρμένοντος. For he had himself had Parmenon's ten minas exacted from him in no friendly way.

<sup>4</sup> ἀλλὰ νῆ Δία. These words introduce another supposed reason of Apaturius for not bringing the action sooner.

<sup>5</sup> ἀσχόλως—ᾧ. He had no time, being occupied in voyages.

<sup>6</sup> ἐν τῷ ἐξελθόντι ἐνιαυτῷ. In the year which is over; that is, last year, the same as πέρυσιν. So τοῦ ἐξελθόντος μηνός, p. 978, means last month. So also ἐξῆλθε ὁ χρόνος τῆς τριηραρχίας, p. 1209.

01 <sup>1</sup> ὅτε αἱ δίκαι ἦσαν. Namely, between Boëdromion and Munychion, September and April.

<sup>2</sup> Λαβὲ δὴ μοι—γεγραμμένη. My responsibility, even if I had been bail for Parmenon, would have expired with the year; not that I claim exemption on this ground, but surely, if Apaturius had had any real ground of action, he would not have allowed the legal time to pass.

<sup>3</sup> ἡγγυησάμην. *I became bail for.* There is considerable difference as to the orthography of this word, many MSS. reading ἐνεγυησάμην, or ἐνεγγυησάμην. The latter cannot be right unless we suppose such a word as ἐνεγγυάω, and the augment omitted in the first aorist middle. If Dindorf's reading is right, it is worth notice that the same word here receives the augment in the beginning, and below, in the word ἐγγεγυήμην, in the middle. If in that place ἐγγεγυήμην is correct, (for there too the MSS. differ, though none reads ἡγγυήμην) the augment is omitted, as is sometimes done in Attic Greek in the pluperfect. See Matthiæ, § 165. Obs. 2.

<sup>4</sup> Γενέσθω—πείσεσθαι. If I had been bail for Parmenon, you may be sure that I should have taken care that he performed what I had engaged for him, as I could not calculate on any forbearance from Apaturius.

<sup>5</sup> ἄξιον—ἡλθον. If I had been bail for Parmenon I should have had a still stronger case by admitting it, and resting my whole defence on the decision not having been made by the three arbitrators.

<sup>6</sup> ὅποτε δὲ—ἐγγύην. *But no decision having been pronounced by the three, what could have been my object in denying the bond?*

12 <sup>7</sup> ἀλλὰ μὴν—συμβόλαιος. After the disappearance of the former contract, if it was still in force, why attempt to make a new one?

<sup>8</sup> ἀλλὰ μὴν—συμβόλαιόν ἐστι. Even if the sentence was indisputable in all other respects, and Parmenon were himself here to defend himself, yet it would be reversed, as having been made in defiance of his protest, his absence having been caused by such a calamity.

<sup>3</sup> παρὰ τὴν ἀπόβρῃσιν. *In spite of the protest.*

<sup>4</sup> τὰς εἰκοσι μνᾶς. The amount of Aristocles's sentence, here for the first time mentioned.

903 <sup>1</sup> τοῦτο μὲν. *Firstly.*

<sup>2</sup> ὅτι μὲν οὖν—τὰ δίκαια. Whatever he can say will be answered in one word, by asking, Where is the contract? If I had lost the contract he would have some show of reason, but he has put it out of the way himself, evidently for the sole object of being able to misrepresent its contents.

<sup>3</sup> τὸ δὲ κεφάλαιον. *And what is most important.* It would be better if there were a comma at κεφάλαιον. Schaefer.

904 <sup>1</sup> ἐὰν οὖν ἐπισκῆψωμαι αὐτῷ. *If I sue him for false evidence.* The word ἐπισκῆπτομαι occurs repeatedly in the third speech against Aphobus.

<sup>2</sup> πόθεν—καταψευδομαρτυρηθεῖς. Wolfius unde ego, mendacio circumventus, argumenta petam? Atqui sermo est de difficultate probandi, qua actor circumveniat, non qua reus. Verte igitur: quo me argumento falsus testis convinct? λαμβάνειν τὸν ἑλεγχον, passive intelligendum. Thucydides, VI. 60. Χαλεπὸς ἦν τότε καὶ ὑπόπτῃς ἐς τοὺς περὶ τῶν μυστικῶν τὴν αἰτίαν λαβόντας. Interpres: tunc sævus erat et suspiciosus in eos, qui de mysteriis insimulati fuerant. Schaefer. The same note refers to the speech against Eubulides, p. 1306, where ὑποψίαν ἔχειν means, to be suspected.

<sup>3</sup> ἐνῆν. *It would have been in his power.*

## SPEECH AGAINST PHORMION.

CLINTON assigns B. C. 332 as the earliest year in which this can have been spoken. His proof lies in the mention of Pareisades (see p. 909, note 5.) and of Alexander's coming to Thebes (see p. 918, note 7). The two former speeches have been of the sort called *παραγραφή*. In this case Phormion had brought in a *παραγραφή*, to which this is the answer.

305 <sup>1</sup> κατέλαβε ἀπρασίαν. *Found no market.*

<sup>2</sup> αναχθεῖσα. *After getting under weigh; that is, at sea.*

306 <sup>1</sup> ἔξεστηκέναί. *He did not know what he was about.*

<sup>2</sup> μηδὲν ἀποφηνάμενος. Demosthenes here would have written οὐδέν. This confusion is exceedingly common in the Greek Testament.

<sup>3</sup> τὴν εὐθεῖαν γίγνεται. *It is about the main question. Understand δίκη.*

<sup>4</sup> παραγραφὴν—συμβολαίων. The speech against Zenonem is a *παραγραφή* of this nature.

<sup>5</sup> τετήρηται. *It has been observed.*

307 <sup>1</sup> Δίκαια—ὑπὸ τούτου. Though we have been in business many years, this is the first lawsuit in which we have been engaged; but we are so convinced that Phormion is now trying to cheat us that we are obliged to depart from our usual custom.

<sup>2</sup> πολλῶν δ'—Φορμίωνι. *And when many blamed us, and especially those merchants who were staying in Bosphorus at the same time with Phormion.*

<sup>3</sup> περὶ μὲν οὖν—ὑμῖν. It is absurd for Phormion to object to the admissibility of our action, for, when we sue him for the non-performance of a contract, which he pleads that he has performed, then his case, however true, and however strong a defence to the action itself, would still be no argument for not admitting it.

908 <sup>1</sup> οἱ μὲν οὖν νόμοι—δεδώκασι. So in the speech against Zenothemis, p. 882. οἱ νόμοι κελεύουσιν τὰς δίκας εἶναι τοῦ ναυκλήρου καὶ τοῖς ἐμπόροις τῶν Αθῆναζε καὶ τῶν Αθήνηθεν συμβολαίων καὶ περὶ ὧν ἂν ᾧσι συγγραφαί.

<sup>2</sup> οὐ μὴν ἀλλά. *Not that I do not.*

<sup>3</sup> ἐγὼ γὰρ—συγγραφὴν. The original contract bound Phormion to place on board double the value of my loan. He borrowed considerable sums in addition, but only put on board goods to a far less value than that to which the different contracts bound him.

<sup>4</sup> ἀμφοτερόπλου. *On the two voyages.* Namely, the outward and the homeward.

<sup>5</sup> ἐπὶ ἑτέρᾳ ὑποθήκῃ. Schaefer considers this corrupt, condemning three attempts which have been made to explain it. 1. Reiske, first, took it *on security to double the amount*, as if it were ἑτέρᾳ τοσαύτῃ, the latter of which words, Schaefer contends, cannot be omitted or understood. 2. Reiske, secondly, took it *on some security or other*, quoting a passage in the speech against Callippus, p. 1236, ἐφ' ἑτέρᾳ ἀποδημῶν ἐμπορίᾳ, where, however, it means, *on another voyage*. 3. Seager takes it, *on the one security*, that is, having for security only the one cargo, namely, the exported one; because, from Bosporus Phormion was to send the money home by Lampis. But, if this were the meaning, it would be θάτέρᾳ. To this it may be added, that this interpretation is inconsistent with the words immediately preceding, ἐδάνεισα εἴκοσι μνᾶς ἀμφοτερόπλου, and also with a passage in the next page, where Chrysippus is opposed to those τὰ ἐτερόπλοια δανείσαντας. Schaefer himself suggests ἐκατέρα to mean, *on security of both cargoes*. I do not think the objection to Reiske's first way of taking it insuperable, which makes by far the best sense. Compare in the next speech, at the end of p. 928, ἐδανείζοντο παρ' ἡμῶν τὰς τριάκοντα μνᾶς, ὡς ὑπαρχούσης αὐτοῖς ὑποθήκης ἐτέρων τριάκοντα μνῶν ὥστ' εἰς τάλαντον

ἀργυρίου τὴν τιμὴν εἶναι τοῦ οἶνον καθισταμένην. There is still a fourth way in which it may be understood, *on a renewed security*.

<sup>6</sup> μνῶν ἑκατὸν δεκάπεντε. This amount must be derived from the particular agreements, as the sum which Phormion is said to have been bound to invest, seventy five minas, exclusive of forty on Chrysippus's account, does not bear a sufficiently simple relation to the sum borrowed, fifty-five minas, also exclusive of what Chrysippus had lent.

109 <sup>1</sup> οὐ κατηγόρασεν ἀλλ' ἤ. *He bought no more than.* See p. 847, note 1.

<sup>2</sup> πεντηκοστολόγων. *The collectors of duties:* from this passage it appears that the duty of two per cent was paid on all exports, (as well as imports) without exception; otherwise it could not be referred to as proof of the value of the cargo. Boeckh, II. p. 25.

<sup>3</sup> ἐλθὼν τοίνυν—μαρτυρίαν. Phormion when he came to Bosphorus found no sale for his goods; so he let the ship sail without putting any cargo on board, which he was bound to do, and said that he would send it by some other ship instead.

<sup>4</sup> Παρεισάδῃ. This is probably the same with Berisades mentioned in the speech against Aristocrates, as one of three who succeeded Cotys king of Thrace in the year B.C. 358. See pp. 623 and following; also Thirlwall's *Greece*, Vol. v. p. 221 and following pp. Diodorus (quoted by Reiske) says that Berisades or Parisades succeeded his brother Spartacus in the kingdom of Pontus, in the fourth year of the 107th Olympiad. B.C. 349. Wesseling denies the Parisades mentioned by Diodorus to be the same with this. Clinton thinks that they are the same.

910 <sup>1</sup> ἄπρατον γὰρ εἶναι τὸν ῥῶπον. *For his wares were not saleable.* ῥῶπος is generally used in the sense of *trinkets, worthless things*, but I scarcely think that it bears any but a general sense here.

<sup>2</sup> Μετὰ ταῦτα—μαρτυρίας. Accordingly Lampis, the master of the ship, sailed without Phormion's goods. Soon after leaving port the ship foundered with all its cargo, but Lampis and the crew escaped in the boat. Every one thought how fortunate Phormion was not to have lost his goods.

<sup>3</sup> ἀπώλεσε δὲ πλεόν ἢ τριακόσια σώματα. It is difficult to account for so large a number, unless we suppose these to have been slaves, of which a large supply came from Thrace. It must not be supposed that a ship large enough to carry three hundred slaves, at a time when there was no motive for stowing them as close as at present, would feel the weight of a thousand hides. The loss of the ship is rather to be accounted for by the top-hamper which a thousand hides being stowed on deck in addition to the cargo, would occasion,—for even now vessels are frequently placed in jeopardy, and many have been lost, from what is termed the deck-load. In this case the hamper would not arise so much from the weight as the bulk of the hides, which would hold much wind, as well as alter the trim.\*

<sup>4</sup> χωρὶς τῶν ἄλλων. *Besides the merchandize.*

<sup>5</sup> καὶ παρὰ τούτου. *From Phormion also, that is, he congratulated himself.*

<sup>6</sup> αὐτὸς μὲν τοῖνυν—παραγενομένων. Soon after Lampis came to Athens, and told me distinctly that Phormion had had nothing on board his ship which had been lost.

911 <sup>1</sup> ἐπειδὴ τοῖνυν—ἐξελεγχθήσεσθαι. When Phormion returned to Athens I summoned him for the debt. Lampis was with me at the time, but never said a word about its having been paid to him, nor did Phormion then allege his present excuse.

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\* For this note, as well as for the first note in p. 926, I am indebted to the kindness of Captain W. H. Smyth, R.N.—a name as well known to scholars as to every other class of scientific men.

<sup>2</sup> αἰὶ ὡμολόγει. *He still admitted.* αἰὶ is here used in the sense of δεῦρ' αἰὶ, *up to this time*, Orestes, 1663. Medea, 670.

<sup>3</sup> κλητῆρας. *Witnesses to the serving of the summons.* According to the readings adopted by Bekker and Dindorf here, and at the last word of the paragraph, the forms κλητῆρ and κλήτωρ were indifferently used.

12 <sup>1</sup> οὐδαμόθεν ἄλλοθεν σκοπῶν. *Judging from nothing else.*

<sup>2</sup> ἔτι δ' ὧ ἀνδρες—ἔχῃτε. Last year Phormion issued an objection to the admissibility of my action, different from this, in which he said not a word about the money having been paid to Lampis.

<sup>3</sup> Μελλούσης—μαρτυρίαν. After this the case was submitted to arbitration, and then Lampis entirely changed his story, saying that Phormion had put the money on board. However he could not deny that he had previously given a different account, so he said that when he had stated that Phormion put no property in his ship, he had not known what he was saying.

<sup>4</sup> ἰσοτελεῖ. The ἰσοτελεῖς were the most highly privileged class of foreigners next to the πρόξενοι. Their chief advantage was that implied in the name, of not paying any taxes or customs more than a citizen; which must have been of the highest importance to merchants. Their privileges will be found exactly defined and limited in Boeckh. *Econ. of Athens*, Vol. II. p. 316, and following pp.

13 <sup>1</sup> Τὴν αὐτὴν μαρτυρίαν. That, namely, in p. 911.

<sup>2</sup> ὅτε οὔτε—ἔφη. The Greek idiom must be attended to here. *When he denied.*

<sup>3</sup> οὐ μέντοι γε ἐντὸς ὧν αὐτοῦ. This is the same with what the writer of the hypothesis calls ἐξεστηκέναι. See p. 906, note 1.

<sup>4</sup> ἀκούσας. Here, according to Libanius, or whoever is the author of the hypothesis, (of which see the last paragraph p. 908) a second speaker, a partner of Chrysippus, begins. Schaefer thinks that the first speaker went on to

ἵν' αὐτὸς μὴ ἐπιорκήσειεν, as it is not probable that he would break off in the middle of the account of what passed before the arbitrator. Thus the first speaker took the direct proofs, τὰ μαρτυρούμενα, and the second the indirect, τὰ τεκμήρια καὶ τὰ εἰκότα.

<sup>3</sup> ἀκούσας τοῖνυν—πρὸς τοῦτον. Observe the improbabilities in the story they tell. Firstly, the sum which Phormion is said to have paid Lampis at Bosphorus, is more than he need have paid to me at Athens, after having the use of the money for so much longer a time. Secondly, how unlikely it is that such a sum should have been paid without any witnesses. A slave of Chrysippus was then at Bosphorus, and also a partner, whom any one else would have taken to witness the payment, but to whom Phormion did not even deliver letters with which I had entrusted him.

<sup>6</sup> οὐκ ἀπέγνω τῆς δίκης. *Did not dismiss the suit*, that is, *Did not decide against us*, we being the plaintiffs.

14 <sup>1</sup> οὗτος μὲν. Chrysippus, who is now standing by, while his partner is speaking.

<sup>2</sup> στατήρας κυζικηνούς. The gold coins called staters of Cyzicus were in very extensive circulation in Greece. They are said to be in weight two drachmas and in value twenty. Thus the value here assigned to them is much above the regular ratio, which must be accounted for by supposing the price of gold at this time in Bosphorus to have been unusually high: however, as it is here the speaker's object to exaggerate the value, we cannot trust his statement. See *Dict. of Greek and Roman Antiquities*. Boeckh, i. 36. Boeckh is at some pains to prove that the Cyzicene was an actual coin, and not a weight. The writer in the *Dictionary* says that several Cyzicene staters exist, but does not specify where.

<sup>3</sup> ἦσαν δὲ ἐφεκτοὶ οἱ ἔγγειοι τόκοι. *And the rate of interest on land securities* (opposed to bottomry ναυτικοί) *was one in six*, sixteen and two thirds per cent.

<sup>4</sup> γίγνεται τόσον καὶ τόσον. *Comes to so much*, namely,

thirty-nine minas twenty drachmas, which he does not here specify, because it is mentioned immediately after.

<sup>5</sup> τρισὶ καὶ δέκα μναῖς πλέον. The sum which he alleged to have paid Lampis was thirteen minas sixty drachmas more than the original loan. Of this, six minas would be due as interest on his return to Athens, but was not due then. Those thirteen minas are spoken of below (p. 916, beginning) as exclusive of the interest, which is not true. Neither Reiske nor Schaefer notice this inconsistency, though the former is much puzzled by the other calculations, which come exactly right.

<sup>6</sup> προσήδρευον. *Stuck close to you.*

915 <sup>1</sup> τὰ ἐπιτίμια—ἀπέτινες. The penalty named in the agreement for not fulfilling the articles exactly; in this case incurred, probably, by Phormion for not taking in a sufficiently valuable cargo from Athens, see pp. 908, 909.

<sup>2</sup> καὶ νῦν μὲν—δώσειν. Observe how the speaker begs the question in the first part of this antithesis. A parallel to this occurs in the first speech against Aphobus, p. 831, ἡ τὴν μὲν φανεράν οὐσίαν... οὕτως αἰσχρῶς διήρπασεν, ὧν δ' οὐκ ἠμέλλεθ' ὑμεῖς ἔσεσθαι μάρτυρες, ἀπέσχετ' αὖ; where it is noticed by Kennedy.

<sup>3</sup> ὅταν ἀποστέλλωνται ἐκ τῶν ἐμπορίων. *When they set sail from the harbours.*

<sup>4</sup> οὔτε τὸν παῖδα—κοινωνόν. See p. 909, παῖδα τὸν ἡμέτερον, *our slave*. The speaker afterwards calls him τὸν παῖδα τὸν τούτου. Chrysippus's slave. See p. 914, note 1.

<sup>5</sup> παρακολουθεῖν. *To watch. To stick to him.* See in the Meidias, p. 537, ἐμοὶ—ἐπηρεάζων παρηκολούθησεν.

<sup>6</sup> ὅστε γὰρ—συμβόλαια. Theophrastes mentions it as a characteristic of stupidity (ἀναισθησία) ἀπολαμβάνων ἀργύριον ὀφειλόμενον μάρτυρας παραλαβεῖν.

916 <sup>1</sup> ἑτεροπλόφ τῷ ἀργυρίῳ κεχρημένῳ. *After making use of the money for one voyage only—when it was lent ἀμφοτερόπλου, and therefore might have been again invested without Phormion having to pay more interest.*

<sup>2</sup> καὶ εἰ τοῦτ'—ἐθαυμάζετο. *And if you had done this, (namely paid this money before numerous witnesses) no one of the whole number of merchants would have been more highly spoken of than you.*

<sup>3</sup> καὶ τῆς συγγραφῆς—καὶ πρὸς ἐμέ. *And though the agreement was existing against you at Athens, and was with me (not with Lampis).*

<sup>4</sup> οἷδε—ἐποίησαντο. *These partners (Chrysippus and the rest) had two agreements made with you.* According to Schaefer the one mentioned above (τῆς συγγραφῆς σοι κειμένης Ἀθήνησι) and the one below (εἰδὼς κατὰ σοῦ κειμένην Ἀθήνησι συγγραφὴν πρὸς τοῦτον) being different. I think they are the same, and that the expression here only means that there were two copies made.

<sup>5</sup> Λέγει δ' ὡς—μνημονεύειν. It is absurd for Phormion to insist on the exact words of the contract, as if the fact of his being thereby ordered to put the property on board were of itself evidence of his having done so, when he broke the contract in the very beginning. Besides, the contract ordered him to put goods on board, which he did once pretend to have done, only knowing that he was sure to be detected, he changed his story and pretended that he paid the amount to Lampis in gold.

17 <sup>1</sup> τοῖς ἐλλιμενισταῖς. The collectors of the customs, similar to the πεντηκιστόλργοι mentioned above, but, of course, a more general word.

<sup>2</sup> ἐφόδιον. Properly money for a journey, *viaticum*. Here H. Wolf says it means ἀφορμή or πρόφασις. Reiske translates it, *adminiculum* (a prop), or *prætextus*. Passow gives, *Any means for the acquiring of an object.*

<sup>3</sup> εἰ μὲν οὖν—καὶ τὸν νόμον. To show you what sort of a partner Phormion took in his fraud upon us, I will mention a fraud committed by Lampis against the state. King Parisades gave the Athenians the privilege that corn might be exported from Bosphorus to Athens duty-free. Lampis shipped a large cargo of corn under this exemption and sold

it at Acanthus, and this at a time of great scarcity at Athens, and though the selling corn elsewhere than at Athens is of itself illegal for an Athenian.

18 <sup>1</sup> τῶν δὲ νόμων—ἐμπορίον. The law itself will be found in the next speech, page 941. The violating a law calculated to lower the price of corn at Athens, would of course create a very strong prejudice in an Athenian jury.

<sup>2</sup> ᾠδείῳ. The Odeum was a smaller theatre just at the south west of the Acropolis, and at the extreme east of the agora. It was expressly, as the name denotes, used for musical contests.

<sup>3</sup> ἐλάμβανον κατ' ὀβολον τοὺς ἄρτους. These words do not indicate dearness but scarcity. Translate, *Could buy loaves only one at a time, and those at the value of an obolus.* Reiske.

<sup>4</sup> τῆς μακράς στοᾶς. This portico was either the same with, or a continuation of, the στοὰ βασιλείας, called from the ἄρχων βασιλεύς who took cognizance of religious suits there. It was just to the north of the Pnyx and at the extreme west of the agora, exactly opposite the Odeum.

<sup>5</sup> τὰ ἀλφίτα—καταπατούμενοι. *Getting their flour in measures of a gallon at a time, and treading one another under foot in their eagerness to get even that.* The ἡμίεκτον was within a very small fraction of a gallon.

<sup>6</sup> Φορμίων—μαρτυρίας. Such is Lampis the associate of Phormion. We, on the other hand, have made large voluntary contributions to the service of the state, besides selling corn at the common rate in times of scarcity.

<sup>7</sup> ὅτε μὲν—παρήει. Alexander's expedition against Thebes took place B.C. 335, three years before the date assigned by Clinton to this speech. See Thirlwall's *Greece*, vi. p. 117.

<sup>8</sup> ἐπεδώκαμεν. *Made a voluntary contribution.* All the instances of the ἐπίδοσις on record are collected by Boeckh, Vol. II. p. 352—376. Theophrastus gives it as a characteristic of the illiberal man (ἀνελεύθερος) ἐπιδόσσειν γενομένων ἐκ τοῦ δήμου αναστάς σιωπᾶν ἢ ἐκ τοῦ μέσου ἀπελθεῖν, 22. On

which Casaubon quotes the following story from *Athenæu* Lib. iv. speaking of Phocon the son of Phocion, ἐπιδόσσει δέ ποτε γενομένων παρελθὼν καὶ αὐτὸς εἰς τὴν ἐκκλησίαν ἔφη 'Ἐπιδιδῶμι καὶ γὰρ καὶ οἱ Ἀθηναῖοι δημοθυμαδὸν ἀνεβοήσαν. Εἰς ἀκολασίαν, playing upon the double meaning of the word ἐπιδιδῶμι.

<sup>9</sup> διεμετρήσαμεν. *We retailed it at the average price, τῇ καθεστηκυίᾳ τιμῇ.*

<sup>10</sup> πέντε δραχμῶν τὸν μέδιμνον. The medimnus was within less than a pint of a bushel and a half. The price here spoken of would be about twenty-one shillings a quarter. Five drachmas appears to have been rather a high price than otherwise. See Boeckh, Vol. i. p. 128.

<sup>11</sup> ἐν τῷ πομπείῳ. The Pompeium was used as a depository for the objects employed in the sacred processions, namely, in the Panathenaic procession, and in that to Eleusis. Wordsworth's *Athens and Attica*, chap. 22. In the place here referred to, Wordsworth with great probability makes out the position of the Pompeium to have been close to the Dipylum gate which led to Colonus and Eleusis, a little to the North-west of the Στοὰ βασιλῆως at the extreme west of the agora.

- 19 <sup>1</sup> ἀλλὰ μὴν—τοὺς νόμους. It is not likely that such as we should risk our character by falsely suing Phormion, any more than that Phormion should pay us more than was due, as he pretends to have done. Nay, if his case were ever so strong, even then he would have no ground for objecting to the admissibility of my action.

<sup>2</sup> ἐπιείκειαν. *Character.*

<sup>3</sup> καίτοι—ἀπελογήσατο. *And yet, if Phormion had proved every point of his case, as I have, his defence would have been perfect.* To understand the full force of this, the emphasis must be laid on ἀπελογήσατο, meaning a defence to the main action, while the next sentence shows that even that would have been no ground for a παραγραφή.

<sup>4</sup> Ὡς μὲν τοῖνυν—ψηφιεῖσθαι. The admissibility of the action was virtually admitted by Phormion, when he agreed to refer the case to arbitration.

320 <sup>1</sup> ἐνθυμούμαι—ἀπέγνω τῆς δίκης. *If Theodotus had dismissed the suit (that is, decided against me), I think within myself what in the world Phormion would have put into his παραγραφή then.* If his pretexts are so insolent and impetuous now, what would they have been then?

<sup>2</sup> τοῦ μὲν οὖν—ἐὰν κελύητε. Phormion has not even put in the direct evidence of Lampis, but that of some who heard him say that he had received the money; so that we cannot sue him for false evidence. Surely his first statement, which he does not even deny to have made, is more credible than his second. Do not lend yourselves to the villainy of a man, whom I have proved to be no friend of yours.

<sup>3</sup> ἀναφέρει τὴν ἀπόδοσιν. *Rests the proof of the repayment.*  
321 <sup>1</sup> ἀθῶος. Because if Lampis's evidence had been produced, and he had been afterwards sued, and fined for false evidence, Phormion would have been liable to an action for subornation (κακοτεχνιῶν). Kennedy, see *Dictionary of Greek and Roman Antiq.* under μαρτυρία.

<sup>2</sup> οὐκ ἔστε μάρτυρες τοῦ πράγματος. *Will you not be witnesses of the fact?* namely, by deciding in my favour.

<sup>3</sup> ὑπολάβοιτε. This use of the optative can hardly be tolerated, and the change of mood in the next clause is extremely harsh. Some MSS. read ὑπολαμβάνοιτε, and Schaefer observes malim ὑπολαμβάνετε.

322 <sup>1</sup> εἰσαγγελέντα ἐν τῷ δήμῳ. The εἰσαγγελία was considered to be provided for those crimes which fell under no particular statute. It might be either to the senate or the people. See Thirlwall's *Greece*, Vol. VI. p. 25. Schoemann. Book II. ch. 3.

<sup>2</sup> αἱ γὰρ εὐπορίαι τοῖς ἐργαζομένοις. *The means or facilities of men in business.*

<sup>3</sup> παρὰ το ἐμπόριον. *In your commerce.*

## SPEECH AGAINST LACRITUS.

THIS speech is of uncertain date. It is of the same description as the last speech, being in answer to a *παραγραφή* of Lacritus. It is valuable as being one of a few speeches in which the depositions and other evidence are given entire.

- 123 <sup>1</sup> ἀναδεξαμένου. *Having undertaken to be answerable for.*—It clearly means only a verbal promise, and is thereby distinguished from ἐγγυᾶσθαι.

<sup>2</sup> τοῦ προσώπου τοῦ ὑποκειμένου. Namely, Androcles: Libanius supposes that to swear *Μὰ τὸν Δία τὸν ἄνακτα* was a common expression of his.

<sup>3</sup> τὸ πρᾶγμα τὸ πονηρὸν. *The badness of the cause.* Demosthenes totally fails to make out the responsibility of Lacritus for his brother's debts.

<sup>4</sup> οὐδὲν καινὸν—δίκαια. Artemon, brother of Lacritus, of Phaselis, the inhabitants of which are well known for their dishonesty, borrowed money from me on a voyage from Athens to the Euxine and back. Artemon died before repaying me, and Lacritus his brother, though his heir, refuses payment. I hope to prove that he is committing an injustice both against the commonwealth and myself.

- 24 <sup>1</sup> αὐτῶν τῶν Φασηλιτῶν. *Of the inhabitants of Phaselis alone.* We must make considerable allowance for exaggeration here.

<sup>2</sup> καὶ οὐκ ἂν ἔχοντας τοῦτου. The continuation of the sentence by this awkward genitive absolute, instead of beginning another, is one example of what Libanius remarks as τὸ τῆς φράσεως ἀνείμενον.

<sup>3</sup> ἐγὼ γάρ—μαρτυρίας. The sum which I lent was thirty minas, with the assistance of another. Artemon, Lacritus,

and a third brother, Apollodorus, were introduced to me by Thrasympedes, with whom I am intimately connected in business; who was ignorant of his character. First, I will put in the agreement.

25 <sup>1</sup> χρώμεθ'. See p. 849, note 2.

<sup>2</sup> ὅπως αὖν ἐνεργοὶ ὦσιν. *In order that they (Artemon and Apollodorus) might be employed..*

<sup>3</sup> τλείστον—τούτοις. *But he (Thrasympedes) had been very greatly deceived, and had no notion what monsters he was bringing me into contact with in these men.*

<sup>4</sup> ΣΥΓΓΡΑΦΗ. Boeckh beautifully explains the whole of this agreement. Vol. i. p. 183, and following pp.

26 <sup>1</sup> μετ' Ἀρκτουρον. After the rising of the star Arcturus, which in Hesiod's time took place sixty days after the solstice (*Opera et Dies*. 566.) According to Ptolemy it was on the second of Sept. The discrepancy is thus explained by Captain Smyth: "The difference in the rising of Arcturus is the effect of the precession of the equinoxes—54 $\frac{1}{4}$ " annually, and from Hesiod's mention of when it took place in his time, the important chronological point of his age is gained. The star however, though fine, was reckoned ungenial in its influences; and the change between the summer and autumnal Etesian winds being precursed by eight or ten days of squally weather, the *prodromi* of old—was ascribed to the direct power of Arcturus, instead of the alternation consequent upon the Solar March. The times of the periodical changes of the *Etesiae* are still objects of concern." Gibbon, Vol. i. c. x. says, referring to *Voyages de Chardin*, Tom. i. p. 45, "To navigate the Euxine before the month of May, or after that of September, is esteemed by the modern Turks the most unquestionable instance of rashness and folly."

The same caution seems to have prevailed in the Eastern part of the Mediterranean. Compare Acts xxvii. 9, where, the vessel being on the coast of Crete, it is said, καὶ

ὅντος ἔδη ἐπισφαλοῦς τοῦ πλοῦς, διὰ τὸ καὶ τὴν νηστείαν ἔχει παρεληλυθέναι, that is the day of Atonement, on the tenth day of the Jewish month Tisri, which fell in that year, according to Burton, on the 19th Sept.

<sup>1</sup> Ἰερόν. The headland towards the Euxine on the Asiatic side of the Bosphorus, called from the famous temple of Jupiter Urius.

<sup>2</sup> ἐπὶ οἶνον—τρισχίλις. Hence it appears that a *κεραμίον* of Mendæan wine was worth two drachmas, for the security on which the loan was effected was to be worth double the amount of the loan. See p. 928 at the end. Schaefer. The *κεραμίον* was two thirds of the *ἀμφορεύς*, and held very nearly six gallons.

<sup>3</sup> εἰκοσороφ. It must have been a large vessel to hold three thousand *κεραμία* of wine, and if twenty oars, or even forty, (if the word is understood to mean a ship with twenty benches) were at all its usual mode of propulsion, it must have been contented to creep along very leisurely. That the oars were more than supplementary is clear from the ship being designated from them. Probably, like many coasters in the Mediterranean now, it would never attempt to go to windward under canvas.

<sup>4</sup> ἐκβολῆς. The throwing overboard of any part of the cargo to lighten the ship. See Acts xxvii. 18.

27 <sup>1</sup> εἰάν δὲ μὴ εἰσβάλωσι. Scilicet eis τὸν Πόντον. Reiske.

<sup>2</sup> μέιναντες—Ἑλλησπόντῃ. If they stay ten days after the rising of the dog-star in the Hellespont. According to Ptolemy, quoted by Wolf, the dog-star rises July 28, according to modern observations July 3. Bad weather seems to have been generally expected in the dog-days.

<sup>3</sup> σῦλαι. "When a Greek state, or any of its members, had received an injury or insult from some other state, or some of its members, and the former was unwilling, or not in a condition to declare open war, it was not unusual to give a commission, or grant public authority to individuals

to make reprisals. This was called *σύλας* or *σύλα δίδοναι*. Polybius calls it *λάφυροο* or *ρύσια καταγγέλλειν*. Thus when the Lacedæmonians thought the Athenians had broken the treaty with them by making incursions from Pylus, they issued a proclamation that any of their subjects might commit depredations on the Athenians (*ληΐζεσθαι τοὺς Ἀθηναίους*. Thucyd. v. 115)." *Dictionary of Greek and Roman Antiquities*. The words *σύλαι ὥσιν Ἀθηναίοις* do not mean, *Where reprisals were granted upon Athenian property by the law of the land*, but *Where the Athenians had the right of reprisals by Athenian law*, because there of course the people would retaliate. Besides, if any question arose, it would be more easily determined by taking the Athenian law as the standard. *Rapina* is used by Ausonius in the same sense. Epigr. xiv. At lepus: In me omnis terræ pelagique rapina est.

<sup>4</sup> *πέρυσι*. Because by the time this condition would come into force it would be another year; the year beginning with Hecatombæon, about Midsummer. Boeckh.

<sup>5</sup> *σωτηρία—δανείσασιν*. Wolf and Schæfer give this up as unintelligible as it stands. Reiske makes nonsense of it. Schæfer wishes to adopt the reading of one MS. *σωτηρία δ' ἔσται τῶν ὑποκειμένων, τὰ περιγεγόμενα κοινὰ ἔστω τοῖς δανείσασιν*. Then the condition would be, *If the ship is lost, but the cargo saved, the creditors shall have their share of what is left*. If the present reading is kept, the following seems to be the best solution; *If the ship is wrecked, let the cargo be preserved, (if possible) and let the creditors take their proportion*.

<sup>6</sup> *κατὰ τὴν συγγραφὴν—ὑγιές*. Though the agreement is made in the names of Artemon and Apollodorus, yet Lacritus, who is a man of some consequence, was the real manager of the whole affair. The agreement was violated in every way.

28 <sup>1</sup> *μέγα πρᾶγμα*. *A man of consequence*. *ἦν μέγιστον πρᾶγμα Δημοκίδης τῷ βασιλεῖ*. Her. iii. 132.

<sup>2</sup> πρῶτον μὲν—τούτοις. First, instead of putting on board three thousand jars of wine, according to the agreement, they only put four hundred and fifty.

<sup>3</sup> ὡς ὑπαρχούσης—καθισταμένην. See p. 908, n. 5.

29 <sup>1</sup> διοπτεύων τὴν ναῦν. Schaefer calls this man *supercargo*. Reiske, who is to some extent supported by Harpocration, assigns to him much more extensive duties, supposing that he had to look after all the stores and provisions besides the cargo.

<sup>2</sup> ἐξεμαρτύρησε. *Bore witness by affidavit*. When a man was unavoidably absent, it was allowed to take his deposition by means of regularly appointed witnesses.

<sup>3</sup> περὶ μὲν οὖν—μαρτυρίαν. They undertook by the agreement that the cargo should be perfectly free from all encumbrances. In spite of this, they afterwards borrowed on it eleven minas from another person.

30 <sup>1</sup> ἐπιδανείσονται. This word is used for borrowing a second loan on property already mortgaged.

<sup>2</sup> σοφίσματα. I think this word is meant to allude to Lacritus's sophistical pursuits. See p. 937.

<sup>3</sup> αἱ μὲν πανοργία—καταφανῶς. They were bound to take in another cargo in the Pontus, and import it to Athens, and pay the loan within twenty days of their arrival. Both these stipulations were violated.

31 <sup>1</sup> ἄλλως ὕθλον. *Mere nonsense*. γραῶν ὕθλος is a proverb. See Plato's *Theæt.* p. 176. B. Stallbaums' note on Plato's *Republic* 350. E. This sense of ἄλλως is common in the tragedians. Οὐκ ἀριθμὸν ἄλλως ἀλλ' ὑπερτάτους Φρυγῶν. Eurip. *Troades* 476.

32 <sup>1</sup> χρήσθαι. *To act upon*.

<sup>2</sup> ὃ δὲ πάντων δεινότατον—ἐν τῇ πλοίῳ. After the ship came back to Athens no goods were landed, so after the stipulated twenty days I applied for payment, which was at first promised, but afterwards Lacritus alleged that the ship had been nearly wrecked and the cargo started, where-

as, when that happened, not any property of Lacritus and his brothers was on board, and the cargo was of the most trifling value.

<sup>3</sup> *φωρῶν λιμένα.* *Thieves' harbour*, a place much used for smuggling. Boeckh, ii. 54. Its situation seems to be unknown.

<sup>4</sup> *δείγματι.* The place where merchants exhibited samples of their wares—the *exchange*. Boeckh, i. 81. *Δεῖγμα τόπος ἐστὶν ἐν Πειραιεὶ ὅθι πολλοὶ ξυνήγοντο ξένοι καὶ πολῖται καὶ ἐλογοποιοῦν.* Theophr. 26.

<sup>5</sup> *πεντηκοστεύονται.* See p. 909, n. 3.

33 <sup>1</sup> *ἐκ Παντικαπαίου εἰς Θεοδοσίαν.* These are both places in the Tauric Chersonese. The latter is mentioned in the speech against Leptines as a place from which Leucon had granted free trade in corn to the Athenians, p. 467.

<sup>2</sup> *τάριχος.* *Salt meat*,—commonly, and probably here, *salt fish*. It was the cheapest sort of food. See Boeckh, i. 139.

<sup>3</sup> *προς τε γὰρ—συμβόλαιον.* *For they had no agreement respecting the vessel that was wrecked.* Not that this was a different vessel from the *εἰκόσορος* of Hyblesius, but Artemon and Apollodorus had now no merchandise on board. The vessel must be supposed to have been repaired, and afterwards sailed to Athens; but these transactions are obscurely related. This is the view of Schaefer. Reiske and Seager suppose that there were two vessels.

<sup>4</sup> *ναύλη.* The loan in this case was upon the freightage of goods and upon the money received from passengers. See *Dictionary of Greek and Roman Antiquities*, under “Interest of money.”

<sup>5</sup> *Κιτιεύς.* From Citium, a port in the south of Cyprus.

<sup>6</sup> *στάμνοι.* *Jars*, the same as *κεραμῖα*.

<sup>7</sup> *ἐξεστηκότος οἶνου.* *Of spoiled wine.*

34 <sup>1</sup> *παρεῖναι—ἐναντῇ.* Observe, that though a slave's evidence could not be received, unless when given under

torture, by mutual consent of both parties, yet the evidence of Apollonides is here put in as to a point which he knew on the information of his slaves.

- 35 <sup>1</sup> Ἡ μὲν ἀναίδεια—πάλιν. These allegations were absurd in themselves, for the cargo which he describes as having been lost is not such a one as is in any way likely to be brought from the Euxine here. Afterwards indeed Lacritus changed his story, and said that his brothers had lent the money to a countryman of their own. If so, surely they must take the responsibility, not I.

<sup>2</sup> καὶ ἐχόμενοι—Λάκριτος οὐτοσί. The plural participles followed by the singular noun is another of those carelessnesses which, we learn from Libanius, made the oration to be considered of doubtful genuineness.

- 37 <sup>1</sup> πότερον—οὔτε πείσαι. Lacritus trusts to his connection with the sophists and his ingenuity, having himself been a pupil of Isocrates, and now a teacher of others in all sorts of trickery. I blame no man for such pursuits, so long as he does not turn them to the injury of others. When he does so, he becomes a public nuisance.

- 38 <sup>1</sup> οἰμωξιμένον. *One that deserves punishment.* A curious extension of the common use of the imperative of οἰμᾶν in the sense of a sort of threat or malediction. This is the only future form of the verb used in Attic Greek. Passow.

<sup>2</sup> Λάκριτος δ' οὐτοσί κ.τ.λ. The character given to Lacritus here is something like that ascribed to Socrates by Aristophanes in the *Clouds*.

<sup>3</sup> χωρὶς δὲ τούτων—εἰπεῖν. Suppose the case reversed. If I had owed Artemon money, would Lacritus then have renounced the succession to his brother's property? As for the admissibility of my suit, not only is this court instituted solely for causes of this nature, but there is no other court to which it would be suitable.

- 39 <sup>1</sup> κατακέχρηται. *Makes use of till we are sick of them.*

Susque deque jactat ; creberrime ad ravim, cum fastidio et odio ingerit. Reiske, *Index*.

<sup>2</sup> παρανομεῖσθαι. The word παρανομέω, originally a neuter and followed by εἰς τινα, has here a transitive construction. So in the speech against Leochares : οἴομαι μηδένας ἄλλους παρανομησθαι τοίαυτα οἷα ἡμᾶς. p. 1090.

<sup>3</sup> τὰ ἐπιτίμια. I do not understand what penalty this can refer to, unless it means the penalty for investing money elsewhere than in Athens, which, as it is said in the next paragraph, Androcles was in some danger of coming under.  
40 <sup>1</sup> τοῖς ἑνδεκα. We must not suppose from this that the eleven had any judicial authority. "The principal duty of the eleven was the care and management of the public prison, which was entirely under their jurisdiction. \* \* \* When a person was condemned to death, he was immediately given into the custody of the eleven who were then bound to carry the sentence into execution, according to the laws."—*Dictionary of Greek and Roman Antiquities*, under *Eleven*.

<sup>2</sup> παρὰ τῷ ἀρχοντι. The archon Eponymus. His duties are enumerated at great length in the *Dictionary of Antiquities*, of which I will extract a few of the most important. He was protector of orphans and heiresses, but only of those of citizens. He did not, in general, himself preside at the trials which arose from these matters, but only brought the case into court. He superintended at the greater Dionysia and the Thargelia, the latter being in honour of Apollo and Artemis. The present passage might well have been quoted as a summary of the archon's duties.

<sup>3</sup> παρὰ τῷ βασιλεῖ. "The functions of the ἀρχων βασιλεύς were almost all connected with religion. \* \* \* Thus he presided at the Lenæan or older Dionysia : superintended the mysteries and the games called λαμπαδηφορίαι, and had to offer up sacrifices and prayers in the Eleusinium, both at Athens and Eleusis. Moreover, indictments for impiety,

and controversies about the priesthood, were laid before him, and, in cases of murder, he brought the trial into the court of the areiopagus, and voted with its members. His wife, also, who was called βασίλισσα, had to offer certain sacrifices, and therefore it was required that she should be a citizen of pure blood, without stain or blemish. His court was held in what was called ἡ τοῦ βασιλέως στοά."—*Dictionary of Greek and Roman Antiquities*.

<sup>4</sup> ὁ πολέμαρχος. Long before this the duties of the polemarch had ceased to be of a military nature. His chief duties now consisted in the protection and regulation of the resident aliens, so that he resembled in many respects the prætor peregrinus at Rome. Aristotle says that he stood in the same relation to foreigners as the archon to citizens. He also had to sacrifice the yearly offering in commemoration of the polemarch Callimachus at Marathon (see Herod. vi. chap. cxi.), and to arrange the funeral games in honour of those who fell in war.—*Dictionary of Greek and Roman Antiquities*.

<sup>5</sup> οὐκοῦν—στρατηγοί. The generals are the only officers left. "They levied and enlisted the soldiers (κατέλεξαν) either personally or with the assistance of the taxiarchs. They were entrusted with the collection, and management of the εἰσφοραί, or property taxes raised for the purposes of war; and also presided over, or officiated as Εἰσαγωγεῖς in the courts of justice, in which any disputes connected with this subject or the trierarchy were decided. They also nominated from year to year persons to serve as trierarchs, and took cognizance of the cases of ἀντιδόσεις arising out of the trierarchy and property taxes. They also presided at courts martial, and at the trials in cases of accusation for non-performance of military and naval duties."—*Dictionary of Greek and Roman Antiquities*.

<sup>6</sup> οὐ τοίνυν—καὶ ὑμᾶς. The money which was borrowed from me was, contrary to the contract, invested in a voyage

to Chios, a course which is very injurious to the state, and forbidden by law, and which might besides have involved me in heavy penalties, but that the words of the contract cleared me.

<sup>1</sup> τὸ τούτου μέρος. *So far as Lacritus' was concerned.* μέρος is often used in this sense, particularly in the tragedians, commonly with ἐμὸν or σόν. Soph. *Æd. Tyr.* 1509. *Trach.* 1215. Eurip. *Rhes.* 405. Heracl. 678.

41 <sup>1</sup> νόμος. See above p. 918, n. 1.

<sup>2</sup> καὶ τᾶλλα—αὐτῶν. These words are not part of the law itself, but are substituted by the orator, for the sake of brevity, for a long list of different sorts of merchandise, which were specified in the law. Reiske. Schaefer says that this cannot be, for Reiske forgets that this was not spoken by the party, but read by the clerk. But in this Schaefer forgets that what the clerk read was not from any authenticated copy, but from extracts which had been taken and put into the echinus by the party; and so if Androcles or Demosthenes had copied the law in this compendious form, the clerk would of course read it accordingly. The only check upon copying unfairly seems to have been the knowledge of the laws which every Athenian had, so that any alteration would have been detected by the jury.

<sup>3</sup> εἶναι τὴν φάσιν—ἐπιμελητάς. *That there should be an information, and an entry of the amount lent, before the overseers of the market.* There were many sorts of ἐπιμεληταί. Those here meant are the ἐπιμεληταί τοῦ ἐμπορίου.

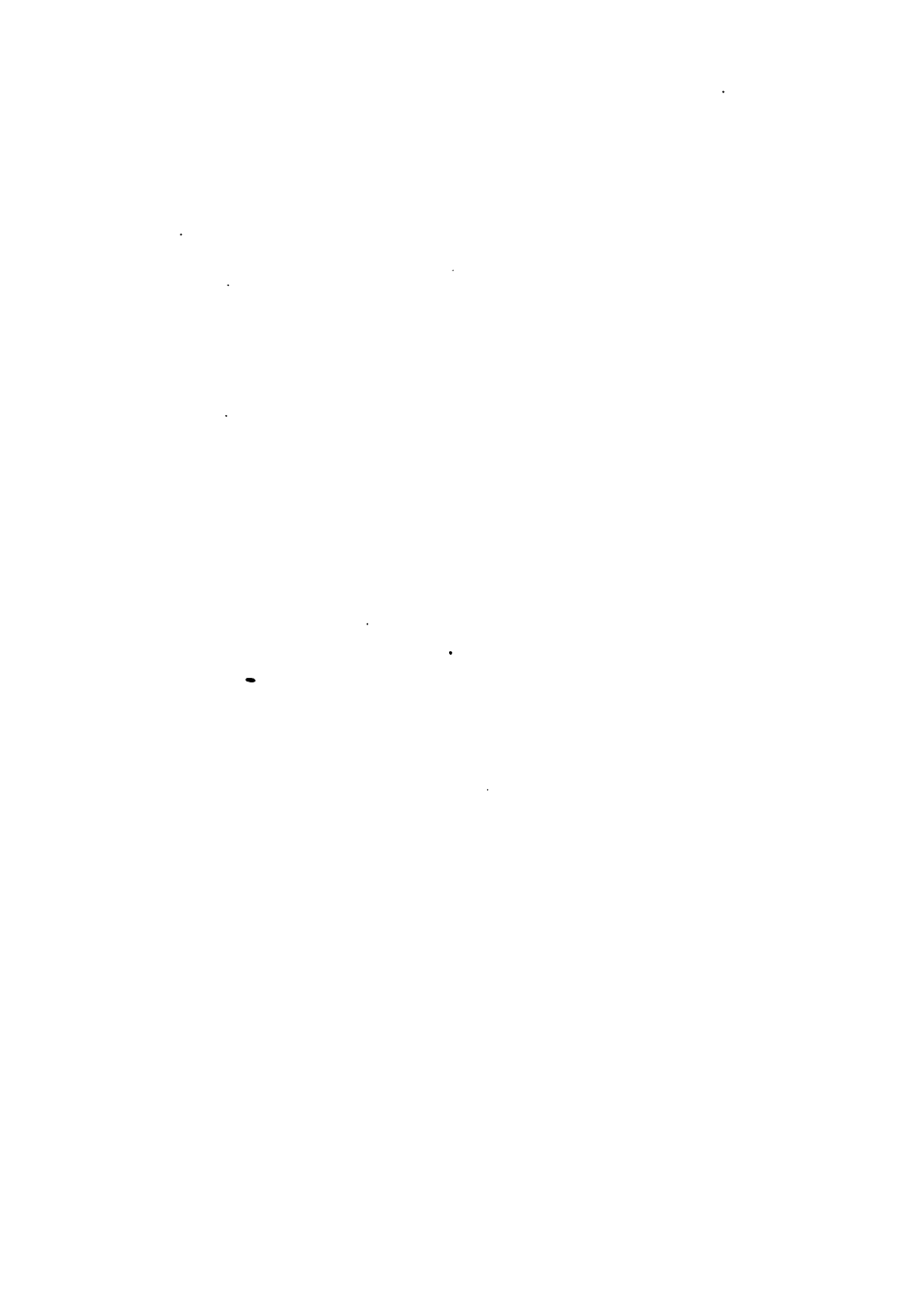
<sup>4</sup> φάσιν. "The charge, (in cases of φάσις), as in the γραφή was made in writing (ἐν γραμματείῳ), with the name of the prosecutor and the proposed penalty (τίμημα) affixed, and also the names of the κλητῆρες. \* \* \* In cases where corn had been carried to a foreign port, or money lent on a ship which did not bring a return cargo to Athens, and probably in all cases of offence against the export and import laws, the information was laid before the ἐπιμεληταί

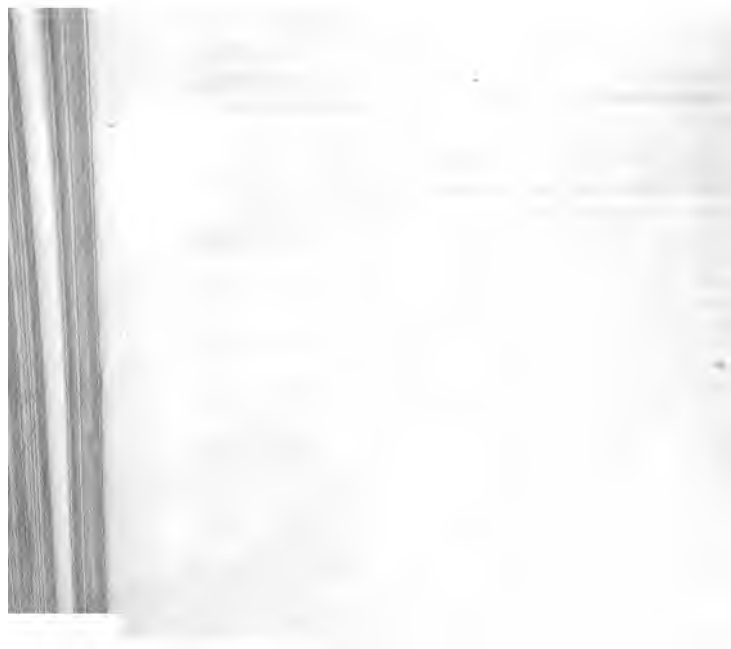
τοῦ ἐμπορίου (Demosth. c. Theocrinem 1323).”—*Dictionary of Greek and Roman Antiquities*.

142 <sup>1</sup> διαπεσταλκώς. The force of the first preposition here is not very clear. Schaefer by referring to a note in Dindorf's preface, seems to class it with διαγανακτεῖν, διαπιστεῖν, διαμφισβητεῖν, and words where the διὰ gives the sense of *entirely, thoroughly*. It would mean then here, *has sent clear away*. Reiske's reading is conjectural, except that one MS. reads only ἀπεσταλκώς.

<sup>2</sup> Ἐμοὶ μὲν οὖν—ναντικά. As for the Phaselitan to whom they say that they lent the money, they have their action against him, but I look to them. I beg that you will do justice to me, and yourselves, and at the same time set an example to such men as these for the future.

THE END.





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